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**Prison and the family : an exploration of maternal imprisonment from a family-centred perspective**

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# **Prison and the family; an exploration of maternal imprisonment from a family-centred perspective**

Natalie Booth

A thesis submitted for the degree of Doctor of Philosophy

University of Bath

Department of Social and Policy Sciences

March 2017

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## **Abstract**

This thesis placed families at the heart of the research process to develop an understanding of maternal imprisonment that is grounded in the accounts of family members. Estimates suggest 18,000 children are separated from their mothers every year in England and Wales because of maternal imprisonment. Yet there is a paucity of knowledge about these particular family circumstances in academic research, policy and society.

The study examines the historical relationship between women and crime, normative assumptions around ‘good mothering’ and takes a critical, family-centred look at the theoretical, policy and penal landscape. A qualitative research approach was chosen for the empirical part of the study, guided by the valuable insights I acquired during a six month placement in a women’s prison. In-depth semi-structured interviews were conducted with 30 families experiencing maternal imprisonment, comprised of two cohorts; convicted mothers, and family members known as caregivers, who were looking after a child whose mother had been imprisoned. The interviews explored the families’ domestic, social, economic and relational circumstances prior to, and during, the mothers’ sentences. This involved a critical examination of their thoughts and experiences of sustaining contact using prison processes; such as visitation.

The findings contribute new and important insights into how the mother’s prison sentence had affected the everyday practices, identities, roles and responsibilities of several family members. Although being in prison automatically interferes with family life and motherhood, these findings demonstrate how this was exacerbated by inadequate facilities and provisions in prisons, which failed to support the maintenance of meaningful family relationships. Marked differences were identified between policy rhetoric that pledged support for family ties, and the accessibility of sustaining these relationships in practice. The findings demonstrate how maternal imprisonment cannot be seen in isolation from family life, and recommendations informed by the families’ experiences are proposed.

## **List of abbreviations**

APVS – Assisted Prison Visits Scheme

CJI – Criminal Justice Joint Inspection

CJS – Criminal Justice System

CRL – Childcare Resettlement Leave

FEW – Family Engagement Worker

HDC – Home Detention Curfew

HMIP – Her Majesty’s Inspectorate of Prisons

HMIPP – Her Majesty’s Inspectorate of Prisons and Probation

HMPS – Her Majesty’s Prison Service

IEP – Incentives and Earned Privileges

MBU – Mother and Baby Unit

MoJ – Ministry of Justice

NOMS – National Offender Management Service

PACT – Prison Advice and Care Trust

PPO - Prison and Probation Ombudsman

PRT – Prison Reform Trust

PSI – Prison Service Instruction

PSO – Prison Service Order

PSR – Pre Sentence Report

RO – Residency Order

ROTL – Release on Temporary Licence

RSA – Royal Society of Arts

SEU – Social Exclusion Unit

UNCRC – United Conventions on the Rights of the Child



## Chapter 1: Introduction

The Criminal Justice System (CJS) may only be charged with the responsibility of the prisoner - but when that prisoner is also a mother then we need to acknowledge that their custodial sentence will also interfere with family life. Viewing these women in isolation from their maternal status fails to recognise how they are embedded in social and familial networks, relationships, responsibilities and generally perform a primary caregiving role to their dependent children (Caddle and Crisp, 1997). A prison sentence not only affects a woman's opportunity to continue mothering in the same capacity – but the care of her children must be adopted by someone else – often other female relatives; mostly grandmothers, aunts and sisters (Caddle and Crisp, 1997).

Yet the typical default is to look at policy issues through the lens of the individual, and in this case the prisoner, with little acknowledgment of their children and families (Bogenschneider, 2015). When it comes to prisoners and their access to family life, many ask 'why should we care?' which overlooks the children's legal rights to family life (United Nations Convention of the Rights of the Child (UNCRC), 1989) and the disruption it brings to their lives and experiences. From both an economic and humanitarian perspective, this prisoner-centric focus also ignores the social, penal and familial costs of separating family members – especially when the long-term goal is to reintegrate the prisoner back into their families and society once their sentence is served. It may be considered that the conviction and custodial sentence is the end of the process, yet for these families it is the start of a very damaging and difficult time (Royal Society of Arts (RSA), 2016).

Although more recently prisoners' families have featured in policy and penal discussions around prison reform (National Offender Management Service (NOMS), 2013) they have been primarily seen as a source of support for the prisoners, rather than as having vulnerabilities or disadvantages in their own right. The emphasis on maintaining prisoners' family ties has therefore fixated on the ways in which family relationships provide practical, emotional and financial support to the prisoners to

prevent them from re-offending (Home Office, 2004). This is likely a reflection of anxieties about the growing prisoner population, which despite stabilising in the last five years; has seen the overall population of females in prison swell by around 2,500 women since the 1980's (Berman, 2012; NOMS, MoJ and Her Majesty's Prison Service (HMPS), 2014) and the high recidivism rates which indicate that nearly half (48 per cent) of prisoners reoffend within one year of release from prison (Prison Reform Trust (PRT), 2016).

Yet no statutory organisation is responsible for prisoners' children and families (Williams *et al*, 2012). This means that no agency is responsible for identifying or collecting information about them, advocating on their behalf or organising statutory interventions to assist them. This is despite the everyday practices of several family members being subjected to significant renegotiations in the mother's absence (Hairston, 2009). Meanwhile family life and mother-child contact are heavily shaped by the institutional context of the prison (Enroos, 2011; Sharratt, 2014). Therefore, the implications of this mother-child separation ripple through the wider family, punishing even those members who have not been legally accused or sentenced (Loucks, 2005; Codd, 2008).

To date, the majority of research and policy focus on prisoners' families has tended to assume its construction as a heterosexual family unit – with the father in prison, and the mother and children outside (Codd, 2007a, 2008). This reflects the larger male prison population<sup>1</sup> – and the realisation that many imprisoned men are also fathers. However, the dominant gendered expectations and division of labour concerning domestic and caregiving responsibilities in family practices produces growing concerns around mothers in prison (Corston, 2007). It is the women's central role in the family that have led many commentators to argue that maternal imprisonment is more disruptive and distressing than paternal imprisonment (Myers *et al*, 1999; Hardwick, 2012). Nevertheless, the government has admitted to knowing very little about prisoners' children (Children of Offenders Review, MoJ 2007), and so the exact number

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<sup>1</sup> Men constitute 95 per cent of the prison population in England and Wales (MoJ, 2013a).

of children affected by maternal imprisonment remains unknown, while estimates have suggested that this figure stands at around 18,000 children every year (Corston, 2007). Presumably the rise in the number of women being imprisoned every year (Hedderman, 2010) will mean more mothers are imprisoned and a larger number of children and families experience maternal imprisonment. In turn, these trends require increased attention and understanding in academic research. Maternal imprisonment has gained increasing interest in the US (Enos, 2001; Snyder *et al*, 2002; Poehlmann *et al*, 2008; Brown and Bloom, 2009; Turanovic *et al*, 2012; Hairston, 2009; Snyder, 2009; Barnes and Cunningham-Stringer, 2014; Tasca, 2016). Meanwhile the number of studies examining paternal imprisonment has also grown in the UK (Morris, 1965; McDermott and King, 1992; Shaw, 1992; Boswell and Wedge, 2002; Glover, 2009; Losel *et al*, 2012; Sharratt, 2014<sup>2</sup>). However, there remains substantially less interest in the lives and experiences of families with women in prison in England and Wales (Codd, 2008) – with few studies investigating this family construction from the perspective of the imprisoned mothers, or the family members acting as the children’s temporary caregivers.

There remains a substantial gap in our knowledge, and so to better understand the experience of maternal imprisonment we must look to the families themselves for an insight into the challenges that losing a mother to prison brings to their lives. To do so entails privileging the voices and lived experiences of mothers and caregivers and placing their accounts at the heart of the research process and policy recommendations. Therefore, a family-centred approach underpins this study.

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<sup>2</sup> This study did include a smaller sample of families experiencing maternal imprisonment, although the majority of the sample was comprised of children and caregivers of fathers in prison.

## **The Research**

At the start of my doctorate, I undertook a placement at a female prison, HMP Bronzefield alongside the Family Engagement Worker (FEW) to gain first-hand experience of the prison context<sup>3</sup>; its operations, as well as insights into the lives and experiences of those detained there. This placement produced a wealth of relevant information about maternal imprisonment which subsequently guided the research undertaken in this thesis. For this reason, the placement is introduced briefly below before outlining the research aims and objectives, a short reflexive summary of my positionality as the researcher, and the research methods adopted.

### ***My prison placement***

In reviewing the literature, I found several descriptions of prison as a “hidden” institution (King and Wincup, 2000; Martin, 2000). Prisons remain on the periphery of our society; we know they exist and yet because only a small proportion of people come into direct contact with them, it is difficult to gain a real understanding of their essence and functioning. Prior to this study, my personal history had not afforded much contact with the prison setting - and my knowledge of maternal imprisonment was born entirely out of my academic interest<sup>4</sup>. Therefore, I decided it was appropriate and justified to acquaint myself with the prison environment and learn more about the complexities of the field first-hand, before planning the study.

I adopted some observational techniques generally found in ethnographic studies – gaining familiarity of prison via immersion, as well as recording conversations, interactions and processes in my fieldwork diary (Ormston *et al*, 2014). Although I was also working alongside the FEW, which did not provide the same opportunity to “hang around” as other prison ethnographers have done (Earle, 2014; Ugelvik, 2014). My time was divided between providing information, advice and support to the women on

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<sup>3</sup> The placement was conducted part-time and organised through a voluntary organisation, Prison Advice and Care Trust (PACT), who were contracted to provide the FEW at the prison. FEWs are employed at all female prison establishments to provide information and support to the women to help them maintain their family ties and relationships, or to address any familial issues that arise during their sentence.

<sup>4</sup> I visited four male establishments, and one female establishment located in England between 2011 and 2013 during my time as a Research Trainee at the Ministry of Justice, and my Masters degree.

the inside, as well as providing this service to their family, children and friends on the outside. This proved successful in producing direct insights into the familial and relational dynamics of prisoner's lives, and into the operational procedures in the custodial environment; such as the prison regime, security processes and jargon which were fundamentally important during fieldwork. Specifically, this placement taught me how motherhood and family life were considerably governed by the prison, and so the aims and objectives guiding this study intended to explore this further.

### ***Aims and Objectives***

The aims of the study were as follows:

1. To explore how maternal imprisonment is experienced from a family-centred perspective;
2. To critically examine female prisons serving England and Wales, and identify how processes within this institutional context impacts on mothering and the family.

The objectives of the study were as follows:

1. To establish historical and contemporary conceptualisations of female and maternal criminality in theory, policy and discourse;
2. To critically explore the representation of families with a prisoner in the family in existing policy and penal discourse from a family-centred perspective;
3. To explore the nature and impact of maternal imprisonment on family practices from the perspectives of mothers and caregiving family members with this lived experience;
4. To identify how family life is shaped by operational processes within the custodial environment, and the ways in which this affects the maintenance of family ties from the perspectives of family members both inside and outside of prison;
5. To formulate family-centred recommendations to inform and shape policy and practice in female prisons in England and Wales.

### ***Introducing the researcher; my motivations and preconceptions***

As I have already mentioned, prison remains somewhat hidden in our society (King and Wincup, 2000), though the continued depiction and discussion on crime and punishment in the media means that most people have some opinion or view on this social issue. For this reason, it is important to outline my own views on crime and punishment, and especially because the preconceptions I had coming into the research changed following my prison placement. Although having assumptions is not necessarily a bad thing (Delamont, 1992), it is appropriate to acknowledge and explore them, as this provides important context to the research study. Therefore, this reflexive section briefly introduces me, as the researcher, and specifically the motivations and preconceptions which may lie at the foundations of this thesis.

My motivation for researching this topic is fuelled by the children and families of prisoners, and awareness that the penal process produces social injustices and punishments for these innocent, and often vulnerable individuals in our society. My interest was sparked during my time as a Research Trainee at the Ministry of Justice (MoJ) and the assignment of a literature review contextualising new research findings on prisoners' families from the longitudinal dataset, Surveying Prisoner Crime Reduction (SPCR), for a report we published (see Williams *et al*, 2012). Whilst conducting this review, I also attended a number of events within central government, by voluntary sector organisations and an academic conference where I learned about the paucity of research and policy attention these children and families receive in England and Wales. I grew increasingly frustrated with the lack of recognition and support for this population, and so following advice from my undergraduate supervisor, Dr Jenny Clifford, I approached Professor Tess Ridge about developing my research ideas and skills, which, fast-forwarding five years, has led to the creation of this thesis.

Although my motivations for focussing my research attention on prisoners and their families are sincere, I will always be one step removed from the issues I discuss and problematise; because I have not experienced this particular familial dislocation

personally, either as a prisoner or as a family member. This, no doubt, alters my interpretations and positionality, and it is likely that my research will be in some way reflective of this. Yet, the placement played a fundamental role in developing my awareness and understanding of imprisonment, altering my thoughts and feelings about penal processes and exposing me to the realities of this institution. Before my placement, I had very little understanding or grasp of prison life, and although my time at the MoJ increased my awareness of its limitations, I had never questioned the use of prison as a form of punishment. For me - as I imagine with many others without personal experience of prison - I assumed that the result of breaking the law would and should lead to a custodial sentence. However, being in and around a women's prison for an extended period of time seriously undermined and changed this binary thinking. In my fieldwork diary I describe coming into contact with a "hidden population" and range of women with experiences and disadvantages that were far removed from my white, middle class upbringing. Hearing their stories and learning about their circumstances over time changed my view and understanding of our society, as well as prison, prisoners and their families.

Whilst successive governments have appeared to be more punitive towards crime and punishment in England and Wales (Carlen and Worrall, 2004; see chapter 2), others have argued that prison should be abolished completely (No More Prison, 2006; Scott and Codd, 2010). My position post-placement is somewhere closer towards the latter; as I sit in the camp that believes that prison should be a last resort, reserved for a smaller number of individuals who pose an extremely high risk to members of the public. I no longer believe that breaking the law should automatically result in a custodial sentence. There are many alternatives to custody which have the potential to be more rehabilitative, family-friendly and cost-effective - even if these are not being utilised at present (see chapter 2 for further discussions and critique). For the sake of thousands of people, including innocent children and families who suffer because of prison every year, I believe that other routes should be examined and tried before a custodial sentence, with rehabilitation at the heart of this process. Arguably, the need

for reform is especially acute when considering the large number of children separated from their mothers, as primary carer's, which is what led me to research maternal imprisonment. Indeed, the following sentiments articulated by Baroness Corston (2007: i) in her review of the female prison estate resonate with me:

"I do not believe, like some campaigners, that no women should be held in custody. There are some crimes for which custody is the only resort in the interests of justice and public protection, but I was dismayed to see so many women frequently sentenced for short periods of time for very minor offences, causing chaos and disruption to their lives and families, without any realistic chance of addressing the causes of their criminality."

### ***Research Methods***

In accordance with Prison Service Instruction (PSI) 22 (NOMS, 2014), permission to undertake the research was granted from the National Research Council (NRC) and subsequently from the Governors managing the four establishments chosen as research sites. The experiences of 30 families were represented in the interviews with the overall sample comprising two cohorts of family members not related to one another; the imprisoned mothers and the caregivers. The decision to recruit two groups of unrelated family members was to ensure the focus of the research remained on the familial experience of maternal imprisonment, rather than comparing within-family narratives and dynamics. Eligibility criteria were set so that in all the families, the imprisoned mother was convicted and sentenced<sup>5</sup> and had at least one child under 18 years old<sup>6</sup>.

It was clear from my placement that any research exploring family life with family members forcibly separated from one another needed to be conducted sensitively. To

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<sup>5</sup> These criteria were decided so that all the families had experienced the mother's court proceedings and were able to reflect on the CJS processes, whereas families where the mother was on remand would have been awaiting trial.

<sup>6</sup> This coincides with most legal thresholds of adulthood and the cut-off for parental responsibility of dependants - although it is appreciated that mothering is not just limited to this age category



this end, in-depth semi-structured interviews were chosen because they could protect the family members confidentiality – as far as could be afforded in and around the prison setting and in line with PSI 13 (NOMS, 2012)<sup>7</sup> – whilst ensuring a more intimate environment for disclosures of potentially upsetting and sensitive issues. The interviews explored family life before the mothers' imprisonment – their living arrangements, childcare arrangements, relationships and daily routines and practices – before asking them to reflect on these same areas since the conviction. It also examined their perspectives and experiences of establishing and maintaining contact within and around the prison setting using prison processes, such as visits and telephone calls. Thematic data analysis was used to organise and identify patterns and themes in the data (Braun and Clarke, 2006), which aligned with the research's family-centred approach as it prioritised the participants own descriptions of their lives and experiences.

### ***Applications of the study***

Normative assumptions around 'good' motherhood in conjunction with perceptions of crime induce stereotypical images of law-breaking women as 'bad mothers' – which do not evoke feelings of sympathy or support for imprisoned mothers or their families. These perceptions are bolstered in the media who generate images of prisoners which are dramatised and only represent the most extreme and violent examples of offending behaviour (Sparks 1992; Mason 2007; Marsh, 2009). Family blaming is also commonplace in the media and social perceptions, with family members experiencing hostility through association to the prisoner, despite having committed no infractions themselves. These one-dimensional images not only shape and distort social perceptions of prisoners and their families, but can also affect their discriminatory treatment in the CJS and their lives in the community; fostering stigma and difference. This will continue to perpetuate if there is a lack of consideration for prisoners' families in academic research and policy, or adequate social welfare provisions aimed at

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<sup>7</sup> These guidelines clearly state the boundaries of confidentiality for research being conducted in the prison estate, for instance around disclosures of harm and contraband.

supporting them rather than utilising them to fulfil the government's reducing re-offending agendas.

A growing interest in prisoners' children and families globally has led to a corresponding increase in the number of studies exploring different aspects of this process and experience. However, this has primarily come from North America and has focussed on paternal rather than maternal imprisonment (Sharratt, 2014; Poehlmann-Tynan, 2015). Existing research has looked at the dyadic relationship (parent and child), whereas it is important to look at the triadic relationship (mother-child-caregiver) during a mother's imprisonment because her removal from the home requires someone else, usually a family member, to assume the immediate care of her children (Turanovic *et al*, 2012). My placement and previous research (Enroos, 2011; Sharratt, 2014) also indicated how motherhood, family life and mother-child contact was largely dictated by the rules and regulations governing the institutional setting. Thus, the punishment of the custodial sentence not only affects the mother, as the individual incarcerated, but also places restrictions on her children and families and brings about substantial adverse changes in their lives and experiences. In revealing qualitative insights into these intricate and challenging circumstances, I have developed the concept of a 'family sentence' in this thesis.

Therefore by engaging directly with both imprisoned mothers and caregivers, this study has produced valuable and nuanced insights into the lived experience of maternal imprisonment; how this is negotiated and managed by family members both inside and outside of the prison walls. The critical examination of the policies and practices that occur within the CJS, and in particular the prison setting, have shown the issues and concerns of families navigating this system. Thus, this study seeks to provide valuable contributions to knowledge about maternal imprisonment which can inform the penal and policy process.

## **Overview of thesis**

The following chapter, chapter 2, provides a brief historical look at the relationship between women, crime and society. It draws on the work of feminist criminologists and their perceptions of law-breaking women as 'bad mothers' and the ways in which this theoretical characterisation can be seen operating in the CJS. It examines the purpose of prison as a form of punishment and takes an in-depth look at Erving Goffman's (1961) conceptualisation of prison as a 'total institution' as well as more recent alternatives to custody and their relevance for mothers on trial. Chapter 3 provides a contextual and theoretical framework of family life in contemporary sociological texts; specifically looking at the work by David Morgan on 'family practices' (1996, 1999, 2011), and the addition of 'displaying families' to this concept by Janet Finch (2007). Previous research examining parental imprisonment is explored before critically examining the representation of prisoners and their families in policy and penal discourse.

Chapter 4 outlines the theoretical, ethical and methodological decisions chosen for the research conducted in this study. This includes a detailed discussion of methods, the fieldwork phases and how the family members were identified and recruited, along with a reflexive commentary of the practical and ethical dilemmas that arose in the field. This chapter concludes by introducing the demographics of the final sample of thirty families. Chapters 5, 6, and 7 present the empirical findings covering three main areas; chapter 5 details the accounts of the cohort of mothers; chapter 6 focuses on the narratives of the cohort of caregivers; whilst chapter 7 brings together the experiences of the whole sample to critically explore the prison and its processes. The final chapter, chapter 8, draws on the findings from the empirical chapters, reflecting on the insights and understandings gained, and presenting the key findings and policy recommendations. This chapter concludes with an assessment of the boundaries of this study, and outlines areas that would benefit from future research attention.

## **Chapter 2 - Women, Crime and Society; a Family Affair**

This chapter offers a critical examination of the relationship between women, crime and society guided by the family-centred perspective which underpins this thesis. This family-centred approach seeks to privilege the perspectives and positionality of those family members experiencing maternal imprisonment, by analysing the circumstances and experiences from their viewpoint. By using this family-centred lens, the aim is to glean insights into the ways in which family members can understand, create and respond to these particular family circumstances, placing their thoughts, perceptions and experiences at the crux of the research process.

This chapter examines the relationships between women, crime and society because crime and punishment is a gendered issue. Substantially fewer women commit crimes than men (Heidensohn, 1987; Carlen, 1988) with statistics indicating that nearly a third of men will have been convicted of a crime by the age of forty (32 per cent) compared to 9 per cent of women (Hedderman, 2010). Correspondingly men constitute 95 per cent of the prison population in England and Wales (Ministry of Justice (MoJ), 2013a) despite accounting for half of the general population. Historically these figures have remained stable; showing that crime is predominantly a male phenomenon. The concept of a female criminal is both uncommon and unfamiliar, and therefore more questions have been raised about those few women who do engage in criminal activity and what makes them transgress from the norm. Having undermined normative assumptions around femininity and gendered roles and responsibilities in the family; women who have committed crimes are therefore seen as “fallen” (Heidensohn, 1985) or “unnatural” women (Carlen and Worrall, 2004). The pervasiveness of these social perceptions has been considered to influence the discriminatory and stigmatising treatment of female offenders in the Criminal Justice System (CJS), in policy and practice (Carlen, 1983; Edwards, 1984). In some instances, this had led to more punitive sanctions and a higher chance of receiving a custodial sentence, which has subsequent implications the women’s children and families.

Firstly the chapter locates the rising female prisoner population in contemporary socio-political climate, whilst examining female criminality from the perspective of feminist criminologists - and in particular the 'bad mother' hypothesis - and the implications of such characterisations in the CJS and in penal theory. The chapter concludes with a brief look at alternatives to custody and the government's recurrent attempts to address female criminality.

### **Tracing female criminality; historical trends and feminism**

In recent years the number of women being imprisoned has substantially increased in England and Wales (Gelsthorpe and Morris, 2002; Carlen and Worrall, 2004; Gelsthorpe, 2004; Hedderman, 2010; Criminal Justice Alliance, 2012). This reflects a global rise in the use of custodial sentences as a punishment in what Waquant (2002) has labelled as period of "mass incarceration". From the 1980's the prison population has doubled in England and Wales (MoJ, 2013b) whilst the number of women in prison every year has trebled – see Table 1. The female prisoner population has increased at much faster rate than the male prisoner population (Hedderman, 2010). For instance, between 1997 and 2008, the courts in England and Wales imprisoned 68 per cent more women compared to 35 per cent more men (Hedderman, 2010).

Since 2008 the female prisoner population has remained more stable; with only around 1 per cent annual growth (MoJ, 2012). As such, we can currently expect around 4,000 women to be held in prisons across England and Wales on any one day (MoJ, 2013c). This stock figure can, however, disguise the larger flow of women received into prison every year; as the twelve month period between June 2015 and June 2016 witnessed over 8,500 females entering prison establishments (MoJ, 2016b). The increase in the female prisoner population will also mean that more mothers will have been separated from their children as around two-thirds of women in prison are mothers, of which the majority were primary caregivers to their children prior to their incarceration (Caddle and Crisp, 1997). Thus, as Wood (2008) asserts; prison issues cannot be divorced from the family.

Table 1: Approximate Female Prison Population in England and Wales 1980-2016

Year	Approximate Female Prison Population
1980	1,500
1985	1,750
1990	1,750
1995	2,000
2000	3,000
2005	4,500
2010	4,250
2014	4,000
2016	3,900

*Source: Data extrapolated from; Berman (2012: 6); National Offender Management Service (NOMS), MoJ and Her Majesty's Prison Service (HMPS) (2014); and MoJ (2016a)*

However, despite this large growth in the female prisoner population, evidence suggests that the rate of female criminality has not actually increased during this time (Carlen, 1998; Hedderman, 2010). Academics have tried to ascertain why more women were being put behind bars, and for the most part, this was attributed to the neo-liberal socio-political climate and the punitive changes it evoked in sentencing patterns and legislative policies (Cavadingo and Dignan, 2002; Gelsthorpe and Morris, 2002; Carlen and Worrall, 2004; Gelsthorpe, 2004; Hedderman, 2010, 2012). In particular, there was a significant shift in political ideology in the 1980's introduced by Margaret Thatcher's Conservative government which brought with it radical, more punitive approaches to crime. There was a move away from the rehabilitative ideal of the previous decade towards more retribution and punishment (Cavdino and Dignan, 2002; Liebling, 2004). This was typified in the Home Secretary Michael Howard's infamous declaration that "prison works" at the Conservative Party Conference (1993). This perspective continued into New Labour's administration after their electoral win in 1997 in which the slogan "tough on crime and tough on the causes of crime" was a

prominent and popular component of their successful Manifesto (Blair, 1995). Complementing these political changes was the birth of “populist punitiveness” (Gelsthorpe, 2004: 2) and the state’s response to wider societal and global risk<sup>8</sup> and uncertainty (Cavadino and Dignon, 2002; Leech, 2006). Fuelled by the media, this intensified crime anxieties and maintained the presence of crime and punishment in the public eye and on government agendas (Gelsthorpe and Morris, 2002). Bottoms (1995) explains how this “popularist punitiveness” is what the electorate appeared to want, to illustrate and confirm the state’s ability to maintain law and order; and is therefore what successive governments have continued to provide (cited in Garside, 2007: 32).

According to Hedderman (2012), a key reason why this political climate has disproportionately affected women can be traced back to the increased use of short custodial sentences, usually lasting six months or less. For instance, the Sentencing Advisory Panel (2010) noted that five times more women were sentenced to custody for short sentences by magistrates between 1992 and 2002. Other explanations for the impact on women are attributed to legislative changes in the Criminal Justice Act (2003) made imprisonment for a breach of court order more likely, which again affected a significant proportion of women in prison who were received into custody for this offence (Hedderman, 2012). This is despite their original offence being unlikely to have resulted in a custodial sentence (HM Probation, 2014). Similarly, tougher sentences in response to drug-related offences have also been linked to the larger female prisoner population (Hedderman, 2012).

However, in 2016 there was a slight shift away from this rhetoric with a new questioning of the prison estate and specifically about ways to respond to the increasing prisoner population. For instance, in February 2016 the former prime minister, David Cameron, gave a speech on prison reform, followed by the publication of a white paper by the Conservative government on ‘Prison Safety and Reform’ in

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<sup>8</sup> The depiction of modernity as a period obsessed with “risk” by Ulrich Beck (1992) is also perceived to have played on anxieties around crime.

November (MoJ, 2016a). However, there continues to be 2,400 more women in prison today than in the 1980's (see Table 1). As we have seen, the neo-liberal socio-political milieu can partially explain this, but when considering the intersections between female criminality and society, a gendered lens is also required. Feminist thinking in criminology is well-established, representing a diverse set of theoretical perspectives related to women and crime. This body of work can help to understand some of the gendered complexities around maternal imprisonment, and so the ensuing section provides a brief introduction to feminist thinking in criminology.

### ***Introducing feminist criminology<sup>9</sup>***

A new body of feminist criminologists exploded onto the academic scene following the second feminist movement in the late 1960's (for example, see academics including Carlen, 1983, 1988; Dobash *et al*, 1986; Worrall, 1990; Heidensohn, 1995). The second wave of feminism raised profound challenges to the discriminatory modes of thought which dominated many disciplines in the social sciences and initiated a new interrogation into the (mis)representation of women in society (Evans and Jamieson, 2009). Up until this point, women's criminality had been relatively neglected; under-theorised and under-researched. Smart (1976) argued how this was evident through women's invisibility in penal institutions - a system controlled by men for men - whilst the only available knowledge was taken from two out-dated criminological studies on the physiology and biology of female offenders (Lombrosso and Ferrero, 1895; Pollock 1950)<sup>10</sup>. This meant that women's criminality was largely subsumed into enquiries and research with male offenders.

Drawing on the concept of "transgression" (Cain, 1989) feminists began to deconstruct notions of femininity in criminal discourse. They identified differences in women's

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<sup>9</sup> The term "feminist criminology" is a debated discipline within criminology (Carlen, 1985), including a varied set of theoretical perspectives, rather than one unified approach. Therefore, for the purpose of this citation, I refer to feminist criminology as a depiction of the feminist school of thought which has developed within the discipline of criminology since the 1980's.

<sup>10</sup> These studies focussed on the physiological characteristics of offending women; attempting to explain their deviant behaviour based on biological explanations. They have since been heavily criticised for their methodological limitations and narrow focus (Heidensohn, 1995).



offending behaviour and contended that these, combined with dominant patriarchal considerations of women, had shaped (and arguably) further oppressed women who broke the law (Carlen and Worrall, 2004; Evans and Jamieson, 2009). Early observations led these academics to find that crime was dominantly a male phenomenon, commenting that; “women on the whole are a law-abiding lot” (Carlen, 1988:3); and that “if men behaved like women, the courts would be idle and the prisons empty” (Baroness Wotton, 1959 cited in Heidensohn, 1991). However, in identifying how crime was predominantly a male activity, it was also considered to *not* be a female activity. These scholars considered how a woman’s offence not only breached the legal expectations imposed on her as a human being, but those expectations imposed on her by gendered norms and ideologies (Carlen, 1983; Heidensohn, 1995; Cook, 1997; Carlen and Worrall, 2004). More specifically, criminal behaviour violates those expectations pertaining to a woman’s role in the family and in the home; those which make a woman a good wife, a good mother and/or a good daughter (Worrall, 1990; Walklate, 2001). This coupling of female criminality to dominant societal perceptions around familial roles and caregiving responsibilities in the literature also meant that strong theoretical links were drawn between crime and motherhood. These are discussed in the following section.

### ***Law-breaking women; unnatural women and ‘bad mothers’?***

Some feminists have argued that patriarchy is the reason why there is a strong rhetoric and assumption that a woman’s role is in the home and within the family (Roberts, 1995). These dominant, gendered assumptions around notions of femininity and motherhood have perpetuated informal social controls on women through their subjugation into domestic spheres (Evans and Jamieson, 2009). On the whole, this has resulted in women’s conformity - which for some feminists - explains the general lack of female criminality within society (Ardener, 1978; Feeley and Little, 1991; Carlen, 1998). Though, this also means that women who do commit crimes are seen as “doubly deviant, offending against both the law and their womanhood: they are bad citizens and unnatural women” (Carlen and Worrall, 2004:2).

Even removing this feminist lens momentarily; a brief historical look at the family construct over the past 70 years shows strong links between women and the home. Examining the post-war welfare state (1940's and 1950's), the family represented the "male breadwinner model"; whereby men engaged in the labour market 'the public sphere' and women stayed at home in 'the private sphere' (Williams, 2004). Following this, the second wave of feminism contested these ideological assumptions placing gender inequality back on the agenda. The 1960s, 70s and 80s witnessed radical restructuring to the normative family, and as a consequence more women were increasingly participating in the labour market (Williams, 2004; see chapter 3). However, research indicates that despite this radical restructuring to gendered norms within the family and in work participation (from the 1960's to the present day); women have remained the dominant figure in the household, and with regards to caregiving (Sandberg and Hofferth, 2001; Sayer *et al*, 2004; Craig, 2006).

The incongruence between women's criminal behaviour and their domestic duties becomes even more acute when a woman is also a mother. Motherhood is socially and culturally constructed, it has been subjected to highly prescriptive discourses in recent years which work to reflect implicit assumptions about the function of the mother and alongside this, appropriate mothering practices in society (Oakley, 1976; Hays, 1996; Enos 2001). A woman's status as a mother, or as a potential mother, is argued to be a central mechanism in determining her social identity (Roberts, 1995). Motherhood is accompanied by the responsibility of childbearing and childrearing, comparable to no other in society, which is why it is deemed incompatible with a criminal identity. Or, to be more specific, the literature indicates that the concept of a *good mother* is incompatible with a criminal identity (Jensen and DuBeck-Biondo, 2005; Corston, 2007). Teather and colleagues (1997: 670) have articulated how dominant social perspectives assume that "mothers who commit crimes are, almost by definition, bad mothers".

For law-breaking women, criminality assumes a failure on their part in fulfilling the gendered roles ascribed to them through feminine norms in the gender contract; those

pertaining to their responsibilities in childbearing and childrearing (Carlen, 1983). Consequently social disapproval of these deviations could lead the mothers to experience stigma as they occupy what Goffman (1963) has conceptualised as a 'spoiled identity'. Their criminality makes them "different" as it is "incongruous with our stereotype of what a given type of individual (and in this case a mother) should be" (*ibid*: 13). Therefore, there is the potential that these mothers will experience a "status loss" as their maternal status is devalued by society (Link and Phelon, 2001:371). Herek (2009) has constructed a conceptual framework and identified three levels at which stigma can occur, which although was a consequence of research with a different stigmatised group, may be applicable to law-breaking women. First, 'enacted stigma' manifests through behaviours from others that express stigma, such as verbal or physical discriminatory treatment. The second, 'felt stigma' is the individuals' awareness of their stigma and the consequences of it, which may be linked to Goffman's (1963) theory of a "reputation". The final level is 'internalised stigma' in which the individual accepts the stigmas legitimacy and becomes a part of their self-concept. Research with imprisoned mothers in the US has found evidence of maternal stigma (Enos, 2001; Brown and Bloom, 2009; Celinska and Seigel, 2010) making it also likely to be experienced by mothers in England and Wales.

It is because around two-thirds of women in prison are mothers of children under 18 years old, of which one third have children under 5 years (Caddle and Crisp, 1997) that maternal imprisonment is viewed with such unease. This may explain why the literature is filled with concerned discussions around the familial responsibilities and circumstances of these women (Worrall, 1990; Matthews, 1999; Carlen, 2002; Chesney-Lind and Pasko, 2003; Gelsthorpe and Morris, 2008; Corston, 2007; Enroos, 2011). It is also these familial and maternal obligations that distinguish female prisoners from their male counterparts. Although the larger male prisoner population in England and Wales will mean that more fathers are imprisoned, the central and often primary caregiving role which mothers occupy - means that a mother's removal to custody has substantial implications for the family unit (Huebner and Gustafson,

2007). Research indicates that 71 per cent of mothers were living with their children before they were detained in prison, of which 33 per cent were lone mothers (Caddle and Crisp, 1997: 20). Hence, the gendered differences between male and female prisoners essentially represent disparities in the caregiving “role and responsibilities traditionally assigned to parents in the larger society” (Gabel and Johnson, 1995: 18).

Many academics have argued that maternal imprisonment is not only different to paternal imprisonment, but more disruptive for the mother, the children and the wider family (Bloom, 1993; Gabel and Johnson, 1995; Myers *et al*, 1999). Nick Hardwick (2012: 8) the former Chief Inspector of Prisons articulated the gendered differences between male and female prisoners, stating that:

“Of course, women in prison have different relationships with their family than men. These range from all the issues surrounding pregnancy and mothers and babies in custody, to the disruption of many women’s role as the primary carer when they are taken into custody, to contact with family once a woman is in prison. These issues are vastly different in type and scale to those experienced by men.”

Thus, on the one hand there is a perception that mothers who commit a crime are inherently ‘bad mothers’ – offending against their biological and social roles. Whilst on the other hand, there is increased social concern and awareness of the repercussions of imprisoning mothers – related to her familial and child caring responsibilities. This paradox is also tied up with social perceptions, policies and the treatment of women and their crimes (Heidensohn, 1985; Allen, 1989; Carlen and Worrall, 2004). Therefore, building on these conceptual debates, the following section explores the representation and management of women in the CJS.

### **Women and the criminal justice system; troubled or troublesome?**

From the point of the initial crime to the custodial sentence, there are several other stages within the CJS (Duff and Garland, 1994; Cavadino and Dignan, 2002; Carlen and Worrall, 2004). In fact, many crimes are never reported to the police, thus never even

entering criminal justice proceedings. Research indicates that just 43 per cent of crimes were reported to the authorities, according to the British Crime Survey (BCS, 2010 cited in Maguire, 2012)<sup>11</sup>. Out of these crimes, only 29 per cent were then recorded by the police, suggesting that a further two-thirds of crimes also fail to proceed through the CJS (Cavadinigo and Dignan, 2002; Simmons and Dodds, 2003).

Before reaching the courtroom, a case is then subject to examination by the Crown Prosecution Service (CPS) and must be deemed worthy of formal prosecution by legal professionals. It is widely understood that the CJS trajectory is laden with multiple stages where professional decision-making - albeit discretionary decision-making - is relied upon (Duff and Garland, 1994; Cavadino and Dignan, 2002; Simmons and Dodds, 2003; Carlen and Worrall, 2004). For this reason academic discussions have often questioned how this 'justice' system can remain unbiased and non-discriminatory (Feeley, 1979; Moody and Tombs, 1982; McConville *et al*, 1991; Hedderman and Gelsthorpe, 1997; Carlen and Worrall, 2004). This questioning is especially relevant when we consider how the implementation of the law is dependent on these professionals, their subjectivities and biases which could reflect personal, social or political orientations (RSA, 2016:20). As we have seen, dominant gendered perceptions could also feed into these decisions, and accordingly, the different treatment of men and women in the CJS - and especially in the judiciary and courtroom practices – which are widely debated (Eaton, 1986; Heidensohn, 1996; Carlen and Worrall, 2004; Gelsthorpe, 2007).

### ***Mothers on trial***

In some instances, women and mothers who are defendants have been found to be treated more favourably than their male counterparts – receiving more cautions than convictions and shorter custodial sentences (Gelsthorpe, 2007). This originates from

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<sup>11</sup> The 'British Crime Survey' (BCS), now known as the 'Crime Survey for England and Wales', survey's around 51,000 private households every year to gauge crime rates in England and Wales. There are limitations to this survey; for instance it is not representative of all crime as it excludes businesses and workplaces, which means certain types of crimes (such as white collar crime) can go unreported. For further critique of crime statistics see Maguire (2012).

the “chivalry thesis” which states that women are treated more leniently because law enforcement officers have tended to be male. Chivalrous treatment is likely a reflection of normative assumptions around femininity and motherhood, and occurs when the women appear to conform to these characteristics and expectations (Eaton, 1986). This coincides with research findings which indicate that legal professionals<sup>12</sup> consider a mother’s domestic and maternal responsibilities as a strong argument *against* custodial sentences within the judiciary (Worrall, 1990). Another reason for this seemingly lenient treatment could also be because women tend to commit less serious offences (Gelsthorpe, 2007) with 84 per cent entering prison for non-violent crimes (MoJ, 2016c). However, it has been suggested that women are treated more harshly in the CJS if they are considered to not be conforming to their gendered role within the family (Carlen, 1983; Edwards, 1984). The strong social perception that women who commit crimes are ‘doubly deviant’ and ‘bad mothers’ indicates why academics have argued that women are less likely to be sentenced based on the seriousness of their crimes, and more in relation to the court’s assessment of them as mothers, wives or daughters (Carlen, 1997). These suggestions of maternal stigma link back to Herek’s (2009) definition of ‘enacted stigma’ in which others treat the individual differently. They could also relate to ‘felt stigma’ (*ibid*) if part of the court’s assessment considered previous offending behaviour and the mothers’ reputation as someone that continually breaks the law. These legal benchmarks are often hetero-normative<sup>13</sup>; and so single or divorced mothers may be more likely to receive custodial sentences than married, home-making mothers - irrespective of the nature, or seriousness, of their offences.

Supporting this argument, studies in the 1980s began to notice how the courts were more prejudiced against single or divorced women (Edwards, 1984). Carlen (1998) reported how single mothers became the victims of negative punitive sanctions and media representations more generally in society at this time. This coincided with attempts at curbing lone parenthood because it was perceived to be an

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<sup>12</sup> This research was undertaken with legal professionals. The example given here is taken from solicitors.

<sup>13</sup> Hetero-normative refers to the gendered roles that men and women are socially assigned, for instance, women with children would be expected to be married and home-makers.

unconventional family form. As a consequence, there was increased prejudice against single mothers in the judiciary, and this contributed to these mothers receiving harsher punishments through the receipt of custodial sentences (Worrall, 1981; Carlen, 1983). Therefore, it seems that the assessment of female defendants in their capacity as women could either lead to more lenient treatment or harsher treatment by the judiciary.

In a similar way, more recent research conducted with magistrates reported that defendants were often judged, and subsequently sentenced, depending on whether they were categorised as being “troubled” or “troublesome” (Gelsthorpe and Loucks, 2009: 113). The “troubled” would receive more lenient sentences whereas the “troublesome” would receive harsher penalties. One quotation taken from this research illuminates this process, explaining how magistrates can “think of them [female defendants] as greedy, needy or dotty” (*ibid*: 114). The perception of some women as “troubled” stems from the recognition that a woman’s pathways into crime are different from offending men (Wedderburn, 2000). Many women experienced abuse (emotional, physical or sexual) as a child, lived in state care growing up, suffered with poor mental health and had substance abuse issues before entering prison (Williams *et al*, 2012; Light *et al*, 2013; Prison Reform Trust (PRT), 2016). Baroness Corston’s (2007) review of the female prisoner estate also highlighted how relationships featured strongly as a pathway into crime for women, indicating how women were vulnerable to exploitation from men.

Women are also more likely to be vulnerable to financial difficulties, from growing up in poverty to being more likely to experience economic marginalisation because of their structural position in society, and dependence on men (Morris, 1991). Considering the strong association between poverty, debt and crime (Carlen, 1988; Devlin, 1998; Ferraro, 2006), Home Office research (1997) found that magistrates appreciated how many women offended out of “need not greed” (Hinsliff, 2002). Similarly, Gelsthorpe and Loucks (2009: 114) reported differences in the conceptualisation of female criminality compared to male criminality – with one

magistrate commenting that “a shoplifting woman would probably be a single mother without enough money. A shoplifting man would rarely be a single father without enough money and kids yapping around”. Thus, in viewing women as “troubled” the judiciary could appreciate how the social disadvantages which faced these women makes them ‘troubled’ rather than necessarily ‘bad mothers’. In an attempt to unravel the relationship between motherhood and court practices further, the next section looks at the use of discretion and mitigation.

### ***Motherhood and discretionary mitigation***

The inconsistent application of mitigation due to judicial discretion is widely recognised as an issue within modern courtroom practices (Wasik, 2001; Jacobson and Hough, 2007; Easton, 2008; Minson, 2014). The Criminal Justice Act (Section 166(1), 2003) makes provision for sentencers to account for matters of personal mitigation (Epstein, 2012). One factor reflecting personal mitigation is a defendant’s position as “sole or primary carer of dependant relatives” (*ibid*). However, as mitigation categories are not weighted – it is down to the discretion of the judiciary to decide whether or not, and how much, mitigation is applied to a sentence (Assault Guidelines, 2011<sup>14</sup>; Drug Offences Guidelines, 2012<sup>15</sup> as cited in Epstein, 2012). Thus, mitigation is unlikely to be administered at the same rate in each case - if at all (Jacobson and Hough, 2007) which means it is left to the same discretionary treatment as other decisions in the CJS, which as previously discussed is problematic.

Sentencing decisions have the potential to be framed by dominant social perceptions of mothers, rather than the nature and seriousness of their offence. To explore this, two small-scale studies recently conducted in England and Wales reported wide variation in the use of balance, discretion and mitigation with defendants who are mothers (Epstein, 2012, 2014; Minson, 2014). Although these studies reported conflicting reasons for the inconsistent courtroom behaviour with mothers<sup>16</sup>, they both

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<sup>14</sup> This took effect on 13<sup>th</sup> June 2011

<sup>15</sup> This took effect 29<sup>th</sup> February 2012

<sup>16</sup> Epstein (2012) attributed the discrepancies to the lack of strategic documentation to illustrate how legislative guidelines and frameworks should be operationalised and implemented whereas Minson



agreed that future research is required to provide a more in-depth examination and insight into sentencing practices. This is because the treatment of mothers in the courtroom decides whether or not she will be removed from the family and placed in prison, which ultimately affects the domestic and caregiving arrangements for her children and family.

Nevertheless, England and Wales are obliged to comply with the European Convention on Human Rights<sup>17</sup> (ECHR) and the United Nations Convention on the Rights of the Child (UNCRC, 1989<sup>18</sup>). Underpinning these legislations is a primary consideration of the best interests of the child when a court is considering a decision to separate a child from their parent through a custodial sentence. At times, these legislations have had a significant impact on the criminal justice process in England and Wales (Epstein, 2012). The adoption of Article 8<sup>19</sup> of the UNCRC (1989) was crucial for one mother of four children<sup>20</sup> committed to custody for twelve days (*R (on the application of Stokes) v Gwent Magistrates Court* [2001]). The results from a judicial review held at the High Court reported that the custodial sentence in this case was inappropriate, with the Court stating that contemplating a committal to custody that would:

“separate completely a mother from her young children with unknown consequences of the effect of that order on those children, had to take into account the need for proportionality and ask itself whether the proposed interference with the children’s right to respect for their family life was proportionate to the need which made it legitimate. Committal to prison must be a remedy of final resort if all else has failed” (cited in Epstein, 2012: 11)

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(2014) found that discrepancies occurred as judges preferred to judge each case on an individual basis, rather than use blanket policies.

<sup>17</sup> Through the adoption of principles in the Human Rights Act (1998)

<sup>18</sup> There are three articles from the UNCRC which are relevant to children of prisoners; (1) Every child has a right to family life (Article 9); (2) Respect the rights of children separated from one or both parents to maintain personal relations and direct contact (Article 9 (3)); (3) Children should be protected from discrimination or punishment on the basis of their parent’s statuses or activities (Article 2).

<sup>19</sup> Article 8 (2) outlines interferences to a child’s right to family life which may be justified if one of the stated conditions are reached (Epstein, 2012)

<sup>20</sup> Children were aged 16, 15, 6 and 9 months (Epstein, 2012: 11)

Boswell (2002) has cautioned that considering *all* defendants as parents could render a large proportion of the prisoner population ineligible for a custodial sentence. Instead, Lord Phillips<sup>21</sup> stated that this process ought to be a “balancing exercise” between the rights and wellbeing of the child against the seriousness of the mothers’ offence (cited in Epstein, 2012: 12). Nonetheless, these guidelines negate a third factor in this “balancing exercise”; the assessment of the mother as a mother, being ‘troubled’ or ‘troublesome’ which, as research has indicated, also plays a strong part in judicial decisions. Thus, in practice the wellbeing of the child may face stiff opposition in criminal courts when a mother is being judged as a ‘bad mother’; reducing the chances of mitigation from custody, and potentially causing serious disruptions to the child’s life if the mother is incarcerated.

Another explanation for the lack of use of mitigation could be owing to the concealment of children by mothers in the courtroom. Mothers are sometimes reluctant to admit they have children once they arrive in prison for fear that this may arouse interest from welfare services, and potentially lead to the removal of their children from the family (Brooks-Gordon and Bainham, 2004). Neither the courts nor the prison service are obliged to identify mothers (Barnardo’s, 2009; Williams *et al*, 2012) and so it is conceivable that some mothers will choose to hide their maternal status. However, disguising the facts from the judiciary means that the “balancing exercise” which ought to occur in weighing up a custodial sentence, cannot and does not take place.

Pre-Sentence Reports (PSRs)<sup>22</sup> are a mechanism to provide the judiciary with some background information about the defendant and their familial circumstances.

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<sup>21</sup> Lord Phillip, Master of the Rolls is the second most senior judge in England and Wales. This guidance was provided following a case, *R (on the application of P and Q) v Secretary of State for the Home Department* (2001) in regards to a dispute over the age limits of prison Mother and Baby Units (MBUs).

<sup>22</sup> PSRs are used with the “view to assisting the court in determining the most suitable method of dealing with an offender” (s. 158 Criminal Justice Act 2003) by providing relevant information about the defendant, including their familial circumstances. This is usually constructed by a probation officer or another appropriate officer. For more information, see: [http://www.cps.gov.uk/legal/p\\_to\\_r/provision\\_of\\_pre\\_sentence\\_report\\_information/](http://www.cps.gov.uk/legal/p_to_r/provision_of_pre_sentence_report_information/)

However research in Scotland<sup>23</sup> (Lourerio, 2010) and England and Wales (Epstein, 2012, 2014) has reported that these are often not used by the judiciary. Consequently, many mothers may be given custodial sentences because their status as a mother has not been effectively communicated to the authorities. In response to this, a recent campaign called “Families Left Behind” organised by a voluntary sector organisation, Prison Advice and Care Trust (PACT), has pressed for changes in court legislations which will require the courts to ask all defendants if they have any dependants (PACT, 2015). Although so far this has come to no avail, introducing this question may ensure that a woman’s maternal status is *always* recorded and considered in sentencing options.

### ***Sentencing options***

Sentencing guidelines state that custodial sentences should only be issued when the offence “was so serious that neither a fine alone nor a community sentence can be justified for the offence” (section 152(2), Criminal Justice Act, 2003). Yet, most women were imprisoned for theft in 2016, with 70 per cent of all women entering prison with a conviction serving sentences of 6 months or less (MoJ, 2016c). However, the threshold for a suspended sentence is set so that it can substitute a prison sentence being issued for between 14 days and 6 months. Therefore, it seems paradoxical that such a high proportion of women (including mothers) have committed a crime that is both so serious that punishment in the community is not suitable, whilst simultaneously being so short that it falls into the same category as those sentences which can be suspended. This again raises questions around the methods of assessment employed for law-breaking women which deem their offence (either legal or gendered) worthy of these punitive sentences. Especially if we consider the appropriateness of prison for women whom, as we have seen, often enter prison with many additional social disadvantages.

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<sup>23</sup> There is no reason to expect that this would be any different in England and Wales. In Scotland PSRs are called – Social Enquiry Reports (Loureiro, 2010).

The equal treatment hypothesis has also been criticised and refuted as a sentencing option when responding to women in the CJS (Belknap, 1996; Hedderman and Gelsthorpe, 1997; Corston, 2007). This perspective has sought to remove the differential treatment of women based on the crimes against the constructs of femininity, and instead only assess a defendant based on their crime; thus treating women like men. However, as Hedderman and Gelsthorpe (1997) observed; equal treatment is an approach – not an outcome. Baroness Corston (2007: 16) explains this by articulating that “women and men are different: equal treatment of men and women does not result in equal outcomes”. Therefore, negating to consider the differences between males and females – especially in relation to dominant familial roles – means that administering gender-blind punishments can still affect women disproportionately. This also ties in with Carlen’s (1983, 1990) proposal of a ‘women-wise’ penology in which she argues that law-breaking women should not be further oppressed *as women* by penal regulations. Perhaps a way forward is to introduce ‘equitable’ measures as opposed to ‘equal’ measures of assessment.

This section has shown the gendered and complex issues surrounding female criminality in the CJS up until the point at which a custodial sentence is given. The following section therefore examines prison in more detail, including its purpose and aim as a form of punishment, whilst considering how this has repercussions for mothers, their children and families.

### **The decision to imprison**

The removal of criminals from society has been a long-standing technique used by states across time and space (Ward and Kassebaun, 1965) and imprisonment similarly has this function. Nowadays, prison is the more dominant form of punishment in many Western societies, including England and Wales. And yet it remains unclear how the continued use of incarceration is justified from a moral perspective. Cavadino and Dignan (2002: 33) have argued that imprisonment violates human rights; that it is “prima facie immoral” – treating individuals in ways which are harmful and unpleasant, and which, without existing under the title of *punishment* would not be permissible in

any other circumstance. This mode of punishment extends beyond profanations of the individual, permeating also the prisoners' familial circumstances and having adverse repercussions on the lives, experiences and relationships of their family members (Murray, 2005). For gendered reasons already discussed in this chapter, this familial infiltration can be even more pertinent and severe for female prisoners.

The continued use of prison is also questionable from an economic perspective, considering that imprisoning one person for 12 months costs the government, on average, a little over £35,000 (Prison Reform Trust PRT), 2016). Yet, it has been argued that prison remains legitimised through (mis)understanding by the populace and the de-sensitisation of the nature of the punishment inflicted as "nothing other than an appropriate and desirable" method (Brown, 2009: 9). Prisons remain a "hidden" institution (King and Wincup, 2000; Martin, 2000), closed off from the rest of society and so it is difficult for the general population to understand their essence and functioning. Arguably public perceptions are shaped and derived from the political commentaries, fiction and the media (RSA, 2016). Yet, news stories generally report the most serious, shocking and violent offences, whilst fictional crime thrillers in film and television programmes dramatise prison and prisoners (Sparks 1992; Mason 2007; Marsh, 2009). These academics have suggested that these warped images filter into socio-political spheres and influence their decisions and understandings of crime and punishment (*ibid*; Mathiesen, 2000). Of greatest concern is that evidence of this can be found in the recent white paper on prison reform (MoJ, 2016a), in which the government admitted never having devised a statutory purpose for prisons prior to that publication. Arguably the ambiguous aims of prison will have led subsequent governments to look elsewhere for information, reference and guidance - which makes it all the more likely to have been informed by the media.

Given that until recently there has been no statutory purpose for prisons (*ibid*), scholars have offered several justifications for the purpose of prison as a mechanism to

administer punishment<sup>24</sup>. Broadly speaking, the most dominant explanations originate from penological and legal perspectives (Innes, 2003). From this standpoint, it is suggested that prison is justified through its attempts of inducing one, or a combination of the following; reform, rehabilitation, incapacitation<sup>25</sup>, deterrence, denunciation and expiation (Innes, 2003; Carlen and Worrall, 2004). These justifications are often divided into two sub-categories; the “retributivist” – the justification of imprisonment as a deserved punishment for the crime and the “reductivist” – the justification premised on the notion that prison reduces the incidence of future crime (Cavadigno and Dignan, 2002: 33-34; Innes, 2003:81). These perspectives differ based on their temporal perspective. On the one hand, retributivism is backward facing, supposing that the offender deserves punishment for their criminal behaviour to show the denunciation of society through the state’s ability to impose expiation. On the other hand, reductivism is forward facing, focussing on the future and the potential positive change which the incarceration may evoke; both for the individual in regards to their reform and rehabilitation, and more widely for society through their incapacitation and methods of deterrence.

Arguably, the latter of these two perspectives has been subsumed into legislations drawn up in England and Wales, as the recent white paper outlined the following four areas as the purpose of prison; to “protect the public; maintain safety and order; reform offenders to prevent more crimes from being committed; and prepare prisoners for life outside the prison” (MoJ, 2016a:20). It is perhaps unsurprising that the third and fourth aims have been introduced when we consider how nearly half of all prisoners, including women, are reconvicted within one year of release (PRT, 2016). Intuitively, re-offending and multiple convictions will have implications for prisoners’ children and families, although the paucity of research on maternal imprisonment in England and Wales means this remains largely unknown and un-theorised. Moreover,

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<sup>24</sup> Other justifications for penal punishment include; functional explanations (Durkheim, 1969; Marx, 1956), other penological perspectives (Mathiesen, 2000), cultural viewpoints (Garland, 1996, 2001) and political rationalisations (Hobbes, 1651/1690; Locke, 1689/1690).

<sup>25</sup> Incapacitation can also be described as “social protection” in the literature; but the two are interchangeable.

these justifications and purposes of prison cannot be taken at face value when discussing female criminality. As this chapter has shown, the discretionary and discriminatory treatment of mothers in the CJS has led to the (mis)representation of women, and so the next section explores how this may have shaped the treatment of women in prison.

### ***The “doubly deviant” and the modern penal system***

According to Michel Foucault, in his seminal work in “Discipline and Punish” (1977), the birth of the modern penal system began in the late 18<sup>th</sup> to mid-19<sup>th</sup> century and occurred at a time when the use of carceal punishment replaced corporal punishment. This shift was radical. Punishment moved away from bodily and physical pain, through torture and execution, towards transforming the individual through more internalised controls, which focussed on the offenders “soul” (Foucault, 1977; Garland, 1990; Smart, 2002). For Foucault (1977), modern discipline is achieved through methods of surveillance which master every aspect of the inmates body and mind; transforming the individual through the internalisation of power which ensures conformity through the creation of “docile bodies” – a concept he called “hierarchical observation” (1977:136-8; Brochier, 1977; Garland, 1990). Drawing on the architectural work of Jeremy Bentham’s panopticon,<sup>26</sup> Foucault demonstrated how the constant fear of observation through unknown visibility was a mechanism which assures the automatic functioning of power. These more subtle forms of surveillance can mean that power is wielded invisible, with prisons becoming “omni-disciplinary” (p.235-236). Extending beyond the prison context, Foucault (1977:296-7) further theorised that this matrix of surveillance existed elsewhere in society; through a “carceral network” known as a process of “normalising judgment”. Foucault argued that self-regulation existed in wider society and in other institutional contexts; including the military, factories and schools (Foucault, 1977; O’Brien and Penna, 1998; Smart, 2002).

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<sup>26</sup> The design of Jeremy Bentham’s panopticon prison is constructed to allow a single watchman stationed at the top of the tower to be able to see into all areas of the institution, without the inmates knowing when and whether or not they were being watched. As a result of the constant fear of surveillance, the inmates regulate their behaviour, and discipline is accomplished.

Although Foucault's penal theories are gender-neutral<sup>27</sup>, feminist criminologists have found links between his theories and perspectives underscoring feminism. For Adrian Howe, the relationship is evident; as the "‘carceral network’, understood as an extension of surveillance and normalisation throughout society ... connect in self-evident ways to feminist sociologies of the social control of women" (1994:115-116). Furthermore, feminist scholars have also identified how carceral punishments have focussed on transforming the soul of 'doubly deviant' women; not only to address their criminality, but in an attempt to realign them to social, gendered norms (Carlen and Worrall, 2004). In particular, responses to female criminality in prison have historically focussed on "feminisation, domestication and medicalisation" (Smith, 1962; Dobash *et al*, 1986; Carlen, 1993; Carlen and Worrall, 2004).

The disciplines of feminisation and domestication are traced back to penal reformers John Howard (1727-1790) and Elizabeth Fry (1780-1845). Their campaigns were focussed on dividing men and women in prison. These changes, although partially concerned with improving conditions for women, also meant that the activities in female divisions were geared towards providing specific forms of feminised and domesticised work and education. Similarly, the assumption that imprisoned mothers are 'bad mothers' can be seen through interventions which are aimed at improved mothering and domestic skills (Carlen and Worrall, 2004). The many parenting programmes and courses which run in prisons demonstrate how prolific this model has continued to be<sup>28</sup>. The media-hyped "ladette" culture can be seen as a recent example

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<sup>27</sup> Foucault did not mention gender in his work in "Discipline and Punish". Therefore, some feminist critics radically reject Foucault's work (see Hartsock, 1990), whereas others have embarked on a critical re-writing of his theories (see Bartky, 1988). The main criticism from feminists for adopting Foucault's conceptualisations arises from his gender-neutral perspective; one which many argue means he ignores and neglects gender as a structural category. In doing so, his analysis of "power" is questioned, and somewhat insufficient, when considering the patriarchal society which feminists strongly advocate as a mechanism for gendered social control. And yet, I agree with Stanley Cohen (cited in Garland, 1986:10) that "to write today about punishment and classification without Foucault is like talking about the unconscious without Freud".

<sup>28</sup> For instance, the Prison Advice and Care Trust (PACT) run a course called "Time to Connect" in prisons across England and Wales. This programme is aimed at improving the relationship between the imprisoned parent and their children. For more information see: <http://www.prisonadvice.org.uk/our-services/sup-children-fams/ttc>



of prison sentences being appropriated for the realignment of young women back to behaviours more akin to femininity. As depicted in newspaper headlines - “Judge: ‘ladette binge-drinking culture’ to blame for ‘plague’ of alcohol fuelled violence” (Telegraph online, May 2010) - the media were quick to attribute the growing prison population to the apparent violent behaviour found in the “ladette” culture whereby young girls and ladies are indulging in behaviours perceived as too masculine (Ford, 2009).

Furthermore, the seriousness of women’s double deviance has also prompted connections to be drawn between female criminality and medicalisation (Dobash *et al*, 1986; Carlen, 1993). The infamous depiction that criminal women were either “mad, bad or sad” (Gelsthorpe, 2004:9) demonstrates how their criminality is explained through a medicalised lens – assuming that that an illness of some kind is an appropriate explanation for their transgression. This perspective came to the fore in the mid-twentieth century when the psychiatric needs of offenders, and especially female offenders, were predominant (Carlen and Worrall, 2004). The ‘treatment model’ was the approved solution to ensure prisoners were cured of their criminality sickness. Illustrating this, the Home Office (Prison Rule Number 2, 1964) was focussed on the “training and treatment” of convicted prisoners to reform them into law-abiding citizens. For women, plans for the construction of “new Holloway” in the 1960’s proposed an institution more akin to a secure psychiatric hospital than a traditional prison for female prisoners (Cavadino and Dignan, 2002). Although this did not go ahead as originally planned, it incited questions regarding the representation of women as in need of psychiatric, medicalised responses to their criminality because of the unnaturalness of this behaviour within the dominant constructs of femininity and motherhood. The modes of feminisation, domestication and medicalisation have arguably been utilised as mechanisms to *cure* criminal women’s transgression – a perspective voiced by Carlen (1983) when she suggested that women were being assessed not only for their offence, but in their role as an (in)adequate woman.

### ***'Total institutions' and the mortification of motherhood***

Some overlap is observed between Foucault's (1977) understanding of penal surveillance and Erving Goffman's (1961) description of a 'total institution'<sup>29</sup> in which the moral career of the inmate is similarly believed to be regulated and transformed. As Goffman explains, 'total institutions' incite discipline as "inmates live with chronic anxiety about breaking the rules" (p.42). But in the 'total institution', the mechanisms of surveillance work in conjunction with the mortification of the individual which occurs on entry into this setting. It is through a process of "role dispossession" that individuals are stripped of their identity and "led into a series of abasements, degradations, humiliations, and profanations of self" (p.11). As part of this mortification process, the identities and roles which individuals had before entering the institution are also removed.

For mothers, this role dispossession means that a prisoner identity supersedes a maternal identity – so she simply becomes a member of the "batch". Her ability to enact the roles and responsibilities of a mother are removed in the institutional setting, not least because she is physically separated from her children. These practices undermine and constrict motherhood, which is why there is a resounding agreement by academics that the hardest aspect of imprisonment for mothers is the separation from their children and families (Sykes, 1958; Ward and Kassebaun, 1965; Dobash *et al*, 1986; Carlen and Worrall, 2004). The status degradation which occurs within these penal contexts has led Carlen (1998:82) to comment that:

"women's family responsibilities and previous family histories interact (variously) with dominant ideologies about women's place in the family and

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<sup>29</sup> Prisons, like psychiatric hospitals, are a type of 'total institution' (Goffman 1961). Goffman described a 'total institution' as "a social hybrid, part residential community, part formal organisation". It is a place where the "normal" social and spatial boundaries between work, sleep and play are all arranged within the one setting, alongside a "batch" of other people similarly subjugated to the prearranged and tightly scheduled daily activities. The formal rulings of the institution are imposed through official bodies, who ensure that everything operates for the overall aims of the institution and not for the individual.

(contradictorily) with the rigours of state punishment – to increase several-fold the pains of penal incarceration”

Research from the US has also indicated how challenging mothering in prison can be (Enos, 2001; Berry & Eigengberg, 2003; Celinska and Seigel, 2010; see chapter 3). Yet, the separation of the individual from the rest of society is a major component to the operating of these ‘total institutions’. This is symbolised in the physical layout of the environment with “locked doors, high walls [and] barbed wire” and practiced operationally through the restrictions placed on the inmates as “channels of communication with the outside are restricted or closed off completely” (Goffman 1961:245). A method to preserve order and obedience is possible owing to the “strategic leverage” which the institution maintains through a “particular kind of tension between the home world and the institution world” (p.24). This is generally instilled through privilege systems which incentivise good behaviour with communication to the outside world. This also ensures that the contrast between *inside* and *outside* is profound.

A few commentators have argued that prisons no longer operate as ‘total institutions’, because penal developments in recent years have caused prison institutions to be more permeable than before – allowing more contact between individuals inside and outside (Farrington, 1992; Da Cunha, 2005). For instance, penal discourse in recent years has emphasised the importance of “maintaining family ties” for prisoners in the “National Reducing Re-Offending Delivery Plan”<sup>30</sup> (Home Office, 2004; NOMS, 2009) and the MoJ Green Paper “Breaking the Cycle: Effective Punishing, Rehabilitation and Sentencing Offenders” (2010; see also chapter 3). Thus, the former Justice Secretary commented in early 2012 that “a high priority is given to trying to house prisoners in places where they are reasonably in contact with their family and home” (cited in Criminal Justice Alliance, 2012: 9). However he also went on to say that “of course, the more pressure the service comes under, the more difficult it is to maintain that” (*ibid*).

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<sup>30</sup> The “National Reducing Re-offending Delivery Plan” (Home Office, 2004) identified children and families as one of the seven pathways to support prisoners and help reduce re-offending.

Considering the recent prison “crisis” concerning issues of overcrowding in prisons in England and Wales, and significant increase in the number of females incarcerated since the 1980’s (Bottoms, 1980; Cavdino and Dignan, 2002; Liebling, 2004) – it is conceivable that the prison system is currently under pressure.

Women are not just physically separated from their children, but generally being held in prison institutions geographically far away from their homes (Laing and McCarthy, 2005; Murray, 2005; Corston, 2007; NOMS, 2013) whilst the only female prison in London, HMP Holloway, was closed in July 2016<sup>31</sup>. The sizably smaller female prisoner population means that there are fewer female prison establishments, currently 12, which are dispersed across England. This results in a higher proportion of families travelling up to, and over, 100 miles to visit female prisoners compared with male prisoners, whilst the average distance all families’ travel has been estimated to be 50 miles (NOMS, 2013). There are also no female prisons in Wales (NOMS, 2013) or the Isle of Wight (Baldwin, 2017), and so *all* female prisoners are detained in England – potentially causing more obstacles for families from other regions to maintain contact through prison visits.

Reforms which will improve the geographical dispersion of women’s prisons in England have been proposed and promised in the next five years whereby smaller more localised “hubs” will be created (NOMS, 2013; MoJ, 2016a). Although delayed, these proposals follow from recommendations from Baroness Corston’s review of the female prison estate in 2007. They also parallel the restructuring of the female estate in Scotland which has similarly outlined plans for more regional units. It is likely that these renovations will be welcomed by families because travelling such distances to visit a mother in prison has several logistical, financial and child-care implications (Devlin, 1998; Social Care Institute for Excellence (SCIE), 2008; see chapter 3).

Furthermore, the removal of a mother to prison will interfere with the level and frequency of face-to-face contact. Statutory provisions allow prisoners the right to

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<sup>31</sup> Women from London and the surrounding areas are now being housed in two other female establishments; HMP Bronzefield in Middlesex and HMP Downview in Surrey.

visits from their families, which for a convicted prisoner is two hours every fortnight (Her Majesty's Inspectorate of Prisons (HMIP), 2016). Yet in the majority of families, the mother had lived with, and had been a principal caregiver to her children (Caddle and Crisp, 1997) and so these visiting legislations will mean a substantial reduction in day-to-day contact. Previous research has also problematised the visiting process, indicating how the environment and searching procedures are not family-friendly (Condry, 2007a; Sharratt, 2014; see chapter 3). Therefore, despite substantial developments in visitation and contact in recent years, for instance through an increase in the provision of family visits<sup>32</sup>, homework clubs and Storybook Mum<sup>33</sup> (Codd, 2007b); there are still many obstacles facing families to sustain contact.

Another way in which Goffman's (1961) theory of prison as a 'total institution' may remain applicable to contemporary prisons is through the restriction of communication inside and outside through other mediums, such as telephones. Access to telephones is not permitted at any time, but is regulated by the 'total institution' which only allows prisoners to make phone calls at certain times. Thus, US research has found that imprisoned mothers often struggled to access telephones to call their children (Bloom, 1995; Snyder *et al*, 2002). Prison provides a one-way telephone system and prisoners are issued a PIN account which can have money added to it from the wages they earn in the prison, or from financial contributions received from family and friends outside (Prison Service Instruction (PSI) 49, NOMS 2011; HMIP, 2016). Yet, the Incentives and Earned Privileges (IEP)<sup>34</sup> scheme places boundaries on how much money can be spent depending on the prisoners' privilege status – also influencing how much money can be used as PIN credit on the telephone (MoJ 2013c; PSI 30, NOMS, 2013). There are four IEP levels; basic, entry, standard and enhanced with each of these levels having access

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<sup>32</sup> Family visits are increasingly being provided in prison establishments and are aimed at providing "family time in a more normalised environment" which allow for a "better quality of experience and interaction for prisoners and their children" (PSI 16, NOMS 2011: 18; see also Loucks, 2005).

<sup>33</sup> Storybook Mum is an initiative that allows mothers to make a bedtime story for their children on a DVD or CD whilst in prison.

<sup>34</sup> "The Incentives and Earned Privileges (IEP) scheme was introduced in 1995 with the expectation that prisoners would earn additional privileges through demonstrating responsible behaviour and participation in work or other constructive activity" (PSI 30, NOMS 2013:5).

to different privileges, based on their convicted status and in relation to spending allowances within the prison - see Table 2.

Table 2: Prisoners' IEP status and cash allowances

IEP Level	Unconvicted	Convicted
Basic	£22.00	£4.00
Entry	£35.00	£10.00
Standard	£47.50	£15.50
Enhanced	£51.00	£25.50

*Source: MoJ (2013c: 19)*

Goffman (1961) explains how 'total institutions' have such privilege systems as part of the reorganisation of the individual and to maintain order. He explains how these privileges are not things of indulgences on the outside - but those things absent in the inmates' life - things which the institution has deprived them of. In the context of penal institutions, and the separation from society that this punishment instils; familial contact could definitely be perceived as a privilege.

Yet, the construction of prison as a 'total institution' means that the mother's loss of liberty is likely also experienced by her family. Baroness Helena Kennedy articulates this, explaining how; "when a court sentences a mother to prison, it is not just the woman who serves the time" (Howard League for Penal Reform, 1993:2). For instance, the challenges facing mother-child contact, as outlined above, disregard the rights of the children to family life (UNCRC, 1989; see chapter 3). Furthermore, difficulties assumedly arise in her capacity to be (or be reformed into) a 'good mother' as the removal of autonomy impacts her ability to control the frequency or type of contact she can have with her children. Hence, it is appropriate to question who this custodial sentence is actually punishing – the 'bad mother' or her children and family?

### ***Release and reintegration into the family and society***

There are likely future repercussions to the custodial sentence for the family once mothers are released back into the community after their punishment is supposedly served. This is because the stigma attached to individuals in society who are 'ex-prisoners' creates more challenges for these mothers to be 'good mothers' on release from prison. Discriminatory assumptions and stigma around crime and motherhood in society could affect their inclusion and acceptance by its members (RSA, 2016). Correspondingly, ex-prisoners often report problems in attaining employment and housing in the community (Niven and Stewart, 2003). For Goffman (1961), this is as a result of the degrading experiences and stigma associated with 'total institutions'. Even on exiting these institutions, Goffman explains how the individual can never return to being the same person they were beforehand. This is concerning when we consider how for most prisoners, the long-term goal is to reintegrate back into their families and society after the sentence (MoJ, 2016a).

These obstacles can mean that ex-imprisoned mothers face difficulties in regaining custody of their children (Dodge and Pogrebin, 2001), and even when they do, they find themselves in more dire socio-economic circumstances. This is concerning considering the over-representation of socially and economically deprived women coming into prison (Social Exclusion Unit (SEU), 2002; Corston, 2007). For example, Carlen and Worrall (2004:4) point out that "sending a wrongdoer to prison may aggravate, rather than ameliorate, the psychological, economic and social factors which can predispose a woman to criminal activity in the first place". Research from the US has also indicated that the struggles of mothering in prison caused some women to retract from motherhood and surrender their maternal status altogether (Barnes and Cunningham-Stringer, 2014; see chapter 3). Given these possible outcomes, it is relevant to question if short custodial sentences for non-violent crimes can ever be justified considering the effect it will likely have on motherhood and family life; both during the sentence and on release.

The recent socio-political climate has seemingly shifted towards prioritising and “strengthening family life” by acknowledging that “family life is the foundation on which our communities, our society and our country are built” (Straw, 1998:3). Yet it seems that this rhetoric is not being echoed in our prison system, which appears to contradict these sentiments and remain out-dated. Indeed, as Riddell (foreword in Hedderman, 2012: 3) has argued; “in an era of equality, when politicians are eager to proclaim the value of family, these women are being treated as lesser beings and their families as lesser families”.

To prevent these penal adversities for women and their families, many commentators have advocated alternative, community-based punishments to be administered to women instead. The past few governments have also appeared to adopt this perspective (Hedderman, 2010, 2012) and despite this, the female prisoner population has hardly decreased in recent years. Thus, the following section briefly examines penal discourse and policy in regards to using alternatives and in responding to the expanding female prison estate.

### **Re-inventing the “alternatives to custody” wheel?**

The use of alternatives to custody<sup>35</sup> are widely debated for women who have broken the law (Carlen, 2002; Gelsthorpe and Morris, 2002; Hough *et al*, 2003; Carlen and Worrall, 2004; Tombs, 2004; Hedderman, 2010, 2012). For many, this form of punishment is deemed appropriate for women because it can be more compatible with their familial responsibilities (Allen, 2005). Some abolitionists have argued that imprisonment should be reserved for only a very few number of very serious female offenders (Carlen, 1990), whereas the ‘normal’ punishment for women would be re-located community settings. From the government’s point of view; alternatives to custody have lower re-offending rates compared to short prison sentences (MoJ, 2013d), and are less costly to run than prison places (Matrix Knowledge Group, 2007). Accordingly, both New Labour and the Coalition government have advocated such

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<sup>35</sup> “Alternatives to custody” and “community-based punishments” are used synonymously in this section as they both represent forms of punishments which are distinct from penal punishments.



penalties in penal discourse and legislative changes in England and Wales (Hedderman, 2010, 2012).

From a family-centred perspective, community-based punishments appear to be more suitable for women, especially mothers, in facilitating their continued placement in the home and ability to perform their caregiving responsibilities. As this chapter has indicated, prison can substantially disrupt family life when a mother is imprisoned which may not happen if the mother was able to serve her punishment in the community. Children would not require a new caregiver or need to move homes, and would have continuity in their relationship and contact with their mothers. However, in their current form – community based punishments do not live up to their expectations because narrow sentencing options reduce their application by sentencers (Carlen, 2002; Hough *et al*, 2003; Hedderman, 2010, 2012,).

A mechanism proposed by the Coalition government to reduce the number of women incarcerated was to expand the number of alternatives to custody available to sentencers (Hedderman, 2012). Yet, research has indicated that increasing the number of alternatives in custody does not mean they are used more (Hough *et al*, 2003). Instead, once a defendant's crime is perceived to reach a level at which a custodial sentence could be an appropriate punishment; any alternatives become redundant (*ibid*). Patel and Stanley (2008) also noticed a similar trait in the Suspended Sentence Orders. These were introduced as an alternative to short custodial sentences, but have instead been used to replace other community orders or fines. Therefore, it appears that 'alternatives to custody' are in actuality used more as alternatives to other types of community based punishments. Some academics were critical of the Coalition government for their blatant disregard for history when they introduced these measures because the previous Labour administration had already discovered the limitations to alternatives and their ineffectiveness because of such loopholes (Carlen, 2002; Tombs, 2004; Hedderman, 2010, 2012). Hence, it appears as though governments have just been re-inventing the 'alternatives to custody' wheel.

As a result, alternatives to custody have played a small role in reducing the number of women sent to prison in England and Wales – and done very little to ameliorate the adversities which are experienced by the children and families of female offenders. The continued use of custodial sentences could also be a reflection of social perceptions of ‘doubly deviant’ women in the CJS which as this chapter has demonstrated, has dominated penal policy, practice and social perceptions for several years.

### **Summary**

This chapter has critically examined the relationship between women, crime and society from a family-centred perspective. The normal gendered roles ascribed to women in the home and family have exacerbated anxieties for law-breaking women, whilst simultaneously intensifying criminal justice and penal responses towards them in an attempt to curb their transgression. This has been depicted in the stigma and labelling of these mothers as ‘bad mothers’, and the varied assessment of these women in the courtroom – with some being viewed as troubled, whilst others troublesome. This has led to differential treatment in the criminal justice system, and women’s subsequent treatment of feminisation, domestication and medicalisation in the carceral context. Although the recent white paper (MoJ, 2016a) has proposed the purpose of prison, the CJS remains ineffective for mothers considering the adverse implications this punishment has for the children and families. Akin to Goffman’s (1961) description of ‘total institutions’, penal establishments nowadays restrict contact and communication between family members, and so the punishments characterised in these environments also permeate and impact on the lives and experiences of children and families outside the prison.

The application of alternatives to custody also has limitations in current sentencing legislations, resulting in the maintenance of the high female prisoner population and the large proportion of children and families also living through this punishment in England and Wales. The following chapter builds on these insights into maternal

imprisonment by exploring the research and policy landscape for prisoners and their families in England and Wales.

### **Chapter 3 - Prison; a sentence for the whole family?**

This chapter examines the available literature and research on family life when a mother is imprisoned. As mentioned previously, a prison sentence can affect the whole family because prisoners do not exist in a “vacuum” prior to their incarceration (Codd, 2008:1). This is an especially relevant consideration when imprisoning mothers who have dependent children. Family members tend to take care of these children left behind (Caddle and Crisp, 1997), and so the first part of this chapter explores how these new family circumstances may be organised and renegotiated by family members both inside and outside the prison environment. In doing so, the theoretical concept and meaning of ‘family’ in modern society is examined to provide context and understanding to this family formation drawing on Morgan’s (1999) ‘family practices’ and Finch’s (2007) ‘displaying families’.

The second part of this chapter critically discusses the representation of prisoners’ families in recent policy and penal discourse – and in particular the emphasis placed on familial ties as a mechanism to support prisoners during their sentences and to reduce re-offending. This rhetoric has led prisoners’ families to receive an increasing amount of attention in government reports in recent years (Home Office, 2004; National Offender Management Service (NOMS), 2009; Ministry of Justice (MoJ) and Department for Children, Schools and Families (DCSF), 2009). The ensuing critical exploration questions whether there is genuine concern for the vulnerabilities and difficulties facing prisoners’ families, or whether their recent inclusion in penal policy is geared wholly and instrumentally towards reducing re-offending.

#### **The modern family; context and theory**

Changes in recent years to the family form have been widely observed in academe (Gubrium and Holstein, 1990; Giddens, 1992; Morgan, 1999; Silvia and Smart, 1999; Beck and Beck-Gernsheim, 1995). From the 1980’s ‘the family’ was subjected to serious analyses and critique which generated a wealth of sociological theory that sought to determine the nature of these changes (Giddens, 1992; Beck and Beck-Gernsheim,

1995; Morgan, 1996, 1999). Moving away from the dominant “nuclear” or “breadwinner model” in which families were primarily fashioned as “two adults living together in a household with their own or adopted children” (Giddens, 1993: 391); family life has since been characterised in more fluid terms and exists in more diverse forms. The various changes have included; a reduced uptake of marriage alongside rising divorce rates; the alternative living arrangements of adults – with more cohabiting couples and single occupancy households; the uncoupling of sexual relations and reproduction from marriage; and women’s increasing involvement in the labour market (Williams, 2004).

Maternal imprisonment may not be a new family formation per se. However, building on the trends identifying a rise in the female prisoner population (Hedderman, 2010) as discussed in chapter 2, it is likely that there has been an increasing number of families experiencing a mother’s imprisonment in England and Wales. Nevertheless, we also learned how there remains very little research attention on women in prison or their family relationships (Codd, 2008) despite their continued, central role in domestic and caregiving responsibilities within the family (Corston, 2007; Enroos, 2011; see chapter 1). This is despite modern families being regarded in more fluid terms than in previous years – characterised by interactions, roles and responsibilities which are negotiated and communicated – rather than normatively defined and static (Finch and Mason, 1993). As such, “individuals are *doing* family instead of simply passively residing within a pre-given structure” (Silvia and Smart, 1999: 5; Morgan, 1996, 1999; Chambers, 2001; Williams, 2004). Moving away from functionalist conceptualisations, the family is alternatively viewed as a dynamic and variable entity.

David Morgan’s (1996, 1999, 2011) seminal work depicts the existence of fluidity in family life through his theory of “family practices”<sup>36</sup> - writing that “family represents a constructed quality of human interaction or an active process” which has a reactive

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<sup>36</sup> Morgan (1999: 17-18) outlines six related themes which convey his conceptualisation of ‘family practices’ which include; the interplay between the perspectives of the social actor and audience; a sense of active rather than passive; a focus on the everyday; a stress on regularities; a sense of fluidity; and an interplay between history and biography.

capacity and changes in accordance with circumstances, and located in culture, history and personal biography (1999: 16). 'Family practices' focus on the everyday, to stress the importance of regularities of both active and passive practices which encompass all features of family life. To articulate this, Morgan explains how nuanced practices around sleeping arrangements can, for example, speak volumes about the formation, conduct and relationships between family members. Thus, he argues that the term "family" should be used as an adjective rather than as a noun.

The focus on 'family practices' facilitates more openness around what counts as *family*, and whilst it does not deny the cultural and biological connections, it can also include other family-like relationships (Jones, 2013). Such an approach allows social actors to create and negotiate their family obligations according to their own understandings and relationships. Correspondingly, friendships and 'fictive kin' have become an area of increasing sociological interest in recent years (Pahi, 1998; Silva and Smart, 1999; Pahi and Spencer, 1997) being considered as important *in addition* to familial relationships, and in some instances as a *substitute* for family relationships. Wider social changes, such as globalisation can explain why these developments may have occurred; as family members do not necessarily reside in the same physical or geographical space. Thus, friends assume social and emotional roles and responsibilities which may have previously been undertaken by family members. For this reason, Codd (2008) has suggested that the term 'prisoner's family' could include greater diversity than just blood or marital kin ties.

Additionally, families may be required to subjectively interpret their family life and relationships as they respond to their new, and challenging family formations once a mother is imprisoned. Not only will she be absent from the family home in passive activities, such as sleeping arrangements, but her absence from the active practices will also evoke readjustments to pre-existing 'family practices' in the household, for example in caregiving responsibilities and daily chores. Therefore, the ways in which roles and responsibilities are distributed and families *do* practices are open to renegotiations and may be shaped by the meanings they ascribe to their 'family

obligations<sup>37</sup> (Finch and Mason, 1993). This also feeds into the theory of ‘ambiguous loss’ (Rodriguez and Margolin, 2015; Boss, 2016)<sup>38</sup> in which family members experience the loss of a loved one through a physical separation, but remain emotionally present in their lives. This type of loss causes “boundary ambiguity” because members are not sure who is in and out of their family because they are operating in a liminal and uncertain space (Boss, 2016). The re-distribution of roles and responsibilities has to be sensitively interpreted and managed, whilst reflecting the nature of loss experienced and the likelihood of the absent member’s future return.

However, Morgan (1999:13) considered how ‘family practices’ are not isolated to the household; extending beyond the boundaries of a family’s home – interacting and “continuous with other areas of existence”. This indicates how familial issues – loss, relationships and practices – manifest and intersect with different spaces and contexts in their member’s life world. This explains how the re-adjustments required following a mother’s conviction may overlap into other areas of the family’s lives – for instance; influencing school and work patterns, routine practices including grocery shopping, whilst also inducing new activities, such as prison visits. Thus, it is because the theory of ‘family practices’ can be widely applied to contemporary family life that Morgan encourages social inquiry using this lens to stratify other areas of study, which would appropriately include maternal imprisonment. This is why one of the objectives of this study is to explore the nature and impact of maternal imprisonment on ‘family practices’ (see chapter 1).

Building on Morgan’s work, Janet Finch (2007:67) proposed that in order to be “*effective* as ‘family practices’, these actions need to be understood by others as carrying meaning associated with ‘family’” (italics original) – at which point she introduces her theory of ‘display’. Finch explains how the process of conveying certain actions as being ‘family practices’ to others (both within the family and externally)

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<sup>37</sup> This theory is discussed in more detail later in the chapter

<sup>38</sup> ‘Ambiguous loss’ theory has been used to describe many different family formations which have experienced changes owing to the physical or psychological ‘loss’ of a relative including; military families, families with missing persons or those with a dementia patient in the family (Boss, 2016).

confirms that specific relationships are ‘family’ relationships. ‘Display’ is increasingly required within the diverse socio-cultural climate whereby the character of relationships and ‘family’ are not always as obvious (Dermott and Seymour, 2011). In empirical research, the narratives<sup>39</sup> of social actors can ‘display’ what meanings are ascribed to their family lives and how these meanings interact with other areas of existence (James and Curtis, 2010). ‘Display’, and the need to ‘display’, is also subject to change and variance at different points in time and space. Changes in family formations and circumstances may instigate different ways of doing ‘family practices’, and different ways to communicate certain relationships. For instance, in being removed from the home, incarcerated mothers may identify an increased need to ‘display’ their maternal role to their children and families, social work practitioners or prison officers to maintain their motherhood status and identity.

Finch’s (2007) theory of ‘displaying families’ provides an appropriate addition to Morgan’s (1996, 1999, 2011) conceptualisation of ‘family practices’ as a theoretical lens to explore the lives and experiences of families experiencing maternal imprisonment in this thesis. In reviewing the available literature which looks at the intersection between prison and family life, the exploration begins with the imprisoned mothers. These women, despite being held accountable for the familial disruptions of maternal imprisonment, can often be a key member in the family before, during and after the custodial sentence.

### **Motherhood and prison**

Mothers who are separated from their children and families following a custodial sentence often remain concerned about the welfare, lives and experiences of their relatives (Boudin, 1998; Enos, 2001; Bloom *et al*, 2004; Home Affairs Committee, 2005). They continue to be family-oriented, and generally attempt to parent from prison; reactively negotiating their maternal role within the family despite being physically separate from them. As Codd (2008: 150) explains:

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<sup>39</sup> Finch (2007) proposes that ‘family’ can be displayed in different ways, including; narratives, visual objects or gifts.



“It is tempting to assume that when a person is imprisoned they lose responsibility for the care of dependant family members such as children. In one sense this is true, in that they no longer reside with their children and are not directly concerned in their everyday lives, not having to get them up in the morning, get them ready for school, and so on. However, in most cases imprisonment does not stop somebody being a parent and viewing themselves as a parent: they are simply not able to undertake all the activities and responsibilities of a non-imprisoned parent”

Similarly, research from the US<sup>40</sup> has suggested that women still view themselves as mothers whilst incarcerated (Enos, 2001; Snyder, 2009; see also chapter 2). Yet, motherhood is already subjected to highly prescriptive assumptions and expectations in society, which Hays (1996) explains can often be romanticised and unattainable. In addition to this, mothers in prison are denied the opportunity to participate in many of the socially constructed practices inherent in mothering on an everyday basis – including those practices they had undertaken as their children’s primary carer (Bosworth, 1999; Enos, 2001; Ferraro and Moe, 2003; Haney, 2013). This was also discussed in chapter 2 with regards to prison as a ‘total institution’ (Goffman, 1961) and the physical, geographical and communicative issues that characterise this type of familial separation. Consequently, many mothers experience “role strain” whilst in prison (Berry and Eigenberg, 2003) which if combined with dominant social perceptions of them as ‘bad mothers’ (Carlen and Worrall, 2004; see chapter 2) could lead women to become anxious about sustaining their relationships with their children and their maternal status (Enos, 2001; Celinska and Seigel, 2010).

In England and Wales<sup>41</sup> mothers in prison are not automatically stripped of their parental responsibility, and therefore continue to have legal guardianship of their

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<sup>40</sup> Most studies cited in this section are taken from studies in the US because as explained previously maternal imprisonment has not been widely researched in England and Wales (see chapters 1 and 2).

<sup>41</sup> In some states in the US the mothers’ parental rights are terminated on her reception into prison or if her sentence exceeds a certain length, for instance if it extends beyond the cut-off of children being looked after in social care before adoption. This is called ‘permanency planning’ which came into force

children. Yet, the practical challenges discussed above mean that mothers are less in control and engaged in their children's lives which could lead them to question their own maternal identity. For instance, Barnes and Cunningham-Stringer (2014) found that these pressures resulted in some women surrounding their maternal status through a process they described as "role exit". Other US studies found evidence of self-stigma in which incarcerated mothers began to internalise negative social perceptions of their maternal status as 'bad mothers' because they felt they lacked parental responsibility (Enos, 2001; Brown and Bloom, 2009; Celinska and Seigel, 2010).

However when given opportunities for doing mothering, the mothers were found to experience a reduction in the intensity of this role strain<sup>42</sup> (Enos, 2001; Berry and Eigenberg, 2003). Engaging in mothering activities helped the women reaffirm and maintain their motherhood identity which indicates how 'doing' mothering was preferred by these women to simply having the status of 'being' the mother. This feeds into Morgan's (1999:16) theory of 'family practices' as an "active process" and also recent sociological theories around parenthood. Williams (2004: 31) explains how parenthood is regarded "as something parents *do* rather than something they *are*" (italics original). In the past few decades, there has been a shift away from viewing parenthood as a biological or normatively prescribed status as a result of reproduction, towards an appreciation of parenthood as a social and cultural situation which conveys rights, responsibilities and expectations in the nurturing of children (Alwin, 2007). These perspectives are echoed by the government in public policy - such as the Children Act (1989), which established that divorced or separated parents continued to have responsibility over their children which stretches beyond legal requirements, and

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under the Federal Adoption and Safe Families Act 1997 (for reference, see Codd, 2008; Brown and Bloom, 2009).

<sup>42</sup> Berry and Eigenberg, (2003) discussed the mother's ability to engage in mothering activities both in larger decisions concerning their children – for example in decision over the placement of their children during the mother's absence – as well as over smaller decisions – for example behaviour in the visiting hall, and being granted permission from the caregiver to have sweets from the vending machine. Enos (2001) on the other hand found that strategies including visitation and planning for release were activities which enhanced the women's motherhood identity.

encourages the interactive quality of parent-child relations. However, to parent from prison, mothers have to rely on intermediaries to facilitate and support mother-child contact.

### ***Mothering through intermediaries***

Being in prison means that women must negotiate contact and relationships with their children through intermediaries (Bosworth, 1999; Enos, 2001; Ferraro and Moe, 2003; Haney, 2013). This is often through their mothers, sisters or daughters as these relatives are generally looking after their children (Caddle and Crisp, 1997). A mother's ability to stay actively involved in her children's life may be reliant on the children's caregiver to facilitate and support this contact. For example, prison rules in England and Wales state that children must be accompanied by an adult during a prison visit; defined by the prison service as any persons under 18 years old (PSI 16, NOMS 2011:7). This means that the quality of a mother's relationship with her children and frequency of this contact can be highly dependent on the caregiver and other kin (Enos, 2001; Codd, 2008). Research from the US similarly found that the nature of the relationship between the caregiver and the imprisoned mother is what determines mother-child contact (Enos, 2001; Poehlmann *et al*, 2008; Barnes and Cunningham-Stringer, 2014; Tasca, 2016).

From a child's perspective, this means that contact with their mother is similarly reliant on the compliance and support from the caregivers - owing to their status as minors, and the social, economic and political dependence that accompanies this position in society and the prison system. Research undertaken directly with prisoners' children in different countries has found that they can feel like they lack agency over their own lives; in not being able to make decisions about contact with their parents (Chui, 2010) and frustrated at the lack of information they are given about their parents' imprisonment (Sack and Seidler, 1978; Brown, 2002; Bockneck *et al*, 2009). These research findings illuminate how caregivers, as intermediaries, are in a crucial and

powerful position as gatekeepers; either in facilitating the mother-child relationship, or obstructing it<sup>43</sup>.

Drawing on Finch and Mason's (1993) theory of 'family obligations' and responsibilities the positioning of the caregiver as a gatekeeper may be better understood. Their research suggested how responsibilities and commitments between kin are dependent on interactions within a specific time and space. These interactions are a "two – (or more way) process of negotiation [...] created rather than flowing automatically from a specific relationship" (p.167). Such a construction is variable; dependant on the particular circumstances and a shared understanding and reciprocity – and with this the balance between independence and dependence and the commitment to supporting one another longitudinally. In adopting Finch and Mason's concept, it is evident how the nature and quality of the past relationship between mothers and caregivers (as well as their potential future relationship) may become an important consideration during the prison sentence – and could shape the caregivers' decisions to foster or prevent mother-child contact.

This theoretical perspective is supported by research evidence from the US, as Sandra Enos (2001) found that the family's response to maternal imprisonment may vary depending on how they confront a mother's imprisonment when taken-for-granted understandings and practices are challenged. She suggests that obligations within families may only stretch to a certain point during a crisis when the precipitating member is frozen out or expelled indefinitely. One way this may occur during maternal imprisonment is when the mother has prior convictions and has continued to engage in criminal activities (Glick and Neto, 1977; Enos, 2001)<sup>44</sup>. During these repeated spells in prison, the mother-child relationships may become fragmented or strained and over time may be irreparable. Thus, the status of the imprisoned mother as the biological

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<sup>43</sup> There may be cases where the caregiver believes it is appropriate to prevent the mother from communicating with the children – for example, depending on her offence type, sentence length, the mother's re-offending history or the stigma facing the children and families.

<sup>44</sup> This may also occur because of the nature of the offence – either in its seriousness, or because the children or families were victims of the crime.

mother may not be enough to provide her with an automatic positioning within the family – but instead, her relational behaviour in actively *doing* mothering is what may be the central determinant in the caregiver’s willingness to support the mother-child relationship in the penal context. Indeed many mothers show a strong commitment to sustaining their mothering identity despite the relational, practical and physical challenges facing them (Enos, 2001; Celinska and Seigel, 2010). For some mothers, this is more easily achievable within the prison context when they are awarded a place on a Mother and Baby Unit (MBU) in prison.

### ***Mother and baby units***

Mothers of babies and young children under 18 months old<sup>45</sup> may be eligible for one of six<sup>46</sup> MBU’s located inside female prisons in England and Wales (Brooks-Gordon and Bainhaim 2004; Edge, 2006; Her Majesty’s Inspectorate of Prisons (HMIP), 2010). The motivations behind MBUs “reflect society’s normal assumption that the best place for a young child is with his or her parent” and operate for the best interests of the children who reside there (PSI 54, NOMS 2011:2). Considering how these units reflect wider societal perceptions around motherhood, it is conceivable that a woman’s admission depends on the assessment of her as a ‘good’ mother. It was therefore concerning to learn that in March 2016 only 35 places (MoJ, 2016d) out of a possible 102 available on MBU’s were occupied (HMIP, 2010). Although the data provided does not indicate why there is a limited uptake of places, it could be a reflection of how mothers are perceived, and/or because of the strict eligibility criteria and admission process which can mean that mothers and children eligible for the MBU do not automatically receive a place.

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<sup>45</sup> The upper age limit for England and Wales is 18 months, although in HMP New Hall the upper age limit is 9 months (Edge, 2006; Children’s Commissioner, 2008; HMIP, 2010; PSI 54, NOMS 2011). However, these age limits are “flexible” (HMIP, 2010) depending on the best interests of the child (PSI 54, NOMS 2011). The literature explains that babies may be permitted to stay on the MBU beyond the upper age limit if the mother is nearing the end of her sentence; as this may be seen to be in the child’s best interests (Edge, 2006; Robertson, 2007; HMIP, 2010). Based on the merits of an individual case, the Children’s Commissioner (2008) reported this flexible upper age limit can even extend to around two years.

<sup>46</sup> These are— HMP Bronzefield, HMP Peterborough, HMP Eastwood Park, HMP Styal, HMP New Hall and HMP Askham Grange.

David Cameron pledged to find alternatives to custody for mothers with young children and babies in his speech on prison reform (Cameron, 2016). Yet, little research has been undertaken within prison MBU's in England and Wales – to examine the admission process, to explore the women's experiences of mothering from prison, or the impact of the penal context on babies and young children (Catan, 1988; Caddle, 1998; Children's Commissioner, 2008; HMIP, 2010). Prison MBU's have often been viewed as the "least bad option" for families when a mother is taken into custody pregnant or with a very young infant (Children's Commissioner, 2008). Not only do these facilities prevent the mother and child from being separated (Catan, 1988) but they actively promote the women's motherhood status – as the women retain full parental responsibility of their children whilst in prison (PSI 54, NOMS 2011). Still, the extent to which this is possible within the parameters of the prison context is debatable. The Governor has responsibility for the whole prison, which also encompasses those housed on the MBU's - and so although "the mother, in normal circumstances, retains parental responsibility for her child; the Governor/Director<sup>47</sup> simultaneously has a duty of care for both the child and the mother" (PSI 54, NOMS 2011: 15). Perhaps this raises further questions around the representation of mothers on MBUs as 'good' mothers – as despite being accepted into the unit, their agency as a mother is still subject to penal controls - albeit with the aim of prioritising the needs and welfare of the child. Yet, given the lack of empirical research within this context it is unclear how mothers perceive this policy to work in practice – and how mothering within prison is experienced.

Mothering responsibilities extend beyond the imprisoned mother when her children are cared for on the outside – with the everyday 'family practices' being assumed and negotiated by the children's temporary caregivers. Consequently, the following section explores the available literature on parental imprisonment in an attempt to understand the possible position and experiences of caregivers during maternal imprisonment.

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<sup>47</sup> These managers are responsible for the management of the prisons. In HM Prison Service these managers are called Governors whereas in private prisons they are called Directors. From here onwards, the term Governors is used to include both.

## **Caregivers; the forgotten family members?**

The most detailed information about children's caregiving arrangements during maternal imprisonment in England and Wales is taken from a Home Office study conducted twenty years ago (Caddle and Crisp, 1997). This study found that a mother's imprisonment often extends or creates new caregiving responsibilities for other family members as 71 per cent of mothers had lived with their children prior to their conviction, of which 33 per cent were lone parents (*ibid*). A smaller proportion, around 10 per cent of children were cared for by their fathers, with around 9 per cent being taken into social care (Caddle and Crisp, 1997; Dodd and Hunter, 1992). However, female relatives generally assume care of the children – with more recent studies similarly finding that around half of female prisoners' children were being cared for by grandmothers, aunts or sisters (Caddle and Crisp, 1997; HMIP, 1997; Corston, 2007; Boswell and Wood, 2011).

### ***Organising childcare***

From the point at which a mother is taken into custody – a replacement caregiver is required to look after her children. For those women who were lone parents, more urgency around negotiating care arrangements is likely to be required. Research found that only 5 per cent of female prisoners' children remain in their own home once their mother is in prison (Caddle and Crisp, 1997) which suggests that in most cases children move into their caregiver's home. This figure is also likely to encompass the 9 per cent of female prisoners' children who end up in the public care system (Caddle and Crisp, 1997). In some instances when fathers look after the children this may result in a change of residence when the father had not lived with the child prior to the mother's sentence, whereas in other cases, children may stay in their own homes<sup>48</sup>. Seven per cent of children who had lived with the mothers and fathers before maternal imprisonment, continued to live alone with their fathers afterwards (Caddle and Crisp,

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<sup>48</sup> Children may also stay in their own homes in other circumstances – for example, where a mother was residing with other family members who shared caregiving responsibilities before her imprisonment or when the caregiver may move into the mother's home temporarily.

1997) – although it is not clear from the research whether these children moved homes.

Findings from a small-scale study indicated that a quarter of the children’s caregivers had not anticipated the mothers’ incarceration (Boswell and Wood, 2011) although the reasons for the sentence being unexpected by family members are unclear. I learned from my prison placement that caregivers were sometimes contacted directly by the mother following her removal into custody informing them of the imprisonment and the need to assume care of her children immediately. In other instances social services were contacted first<sup>49</sup> before a family member was approached to assume care of the children. Research from the US has similarly indicated that care can either be arranged informally between family members or mediated through more official channels when a mother is received into custody (Enos, 2001). As we have seen, imprisoned mothers generally continue to have parental responsibility of their children whilst in prison in England and Wales, despite mothering through intermediaries. Yet this may mean that the legal status of the family members as temporary caregivers is ambiguous when social services are not involved. This is especially likely considering that the discussions in chapter 2 found that children of defendants are not routinely identified in criminal court proceedings or on the mothers’ reception into prison (Prison Advice and Care Trust (PACT), 2015).

Beyond this, very little is known about the process of deciding and organising care arrangements for children with a mother in prison. Female family members who are looking after the children have also remained somewhat invisible in research and so little is known about their experiences (Codd, 2008; Turanovic *et al*, 2012). Caregivers may have remained absent in research as an unintended consequence of the overriding social concerns which have focused instead on either the prisoners, or more increasingly on prisoners’ children in penal and policy dialogue. Arguably they have been forgotten amidst these anxieties surrounding parental imprisonment (Turanovic

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<sup>49</sup> For instance, social services may be contacted by professionals in the criminal justice system upon hearing that the prisoner has children, or perhaps by the children’s school if the children are not collected at the end of the day.



*et al*, 2012) – despite being at the crux of this familial situation in looking after the children.

### ***Looking after the children***

Hairston (2009:10) found that families had to construct “new family obligations” following the mothers’ prison sentence as the domestic circumstances, roles and responsibilities of several family members had to be reconsidered and adapted. However, the intricacies and nuances of these readjustments remain widely unknown. Some studies have found the emotional and practical loss during parental imprisonment is experienced akin to the death of a relative (Bockneck *et al*, 2009; Chui, 2010). This again links to the ‘ambiguous loss’ theory (Boss, 2016) which highlights how certain forms of familial loss are not guided by social norms or grieving rituals. When a person physically dies there are accepted formalities and systems to respond to this loss in society, for instance bereavement leave from work, sympathy cards and a funeral. However, no such rituals or social sympathy are afforded to the families of prisoners as instead they are managing their loss in highly stigmatised<sup>50</sup> circumstances and with little social validation (Arditti, 2016). Consequently, Hames and Pedreira (2003:378) have considered how prisoners’ families occupy a status and position of “disenfranchised grievers”.

Existing research, mostly conducted with families of male prisoners, has established that relatives can experience significant financial difficulties following the incarceration of a parent (Morris, 1965; Social Exclusion Unit (SEU), 2002; Christian *et al*, 2006; Condry, 2007a, 2007b; Smith *et al*, 2007; Codd, 2008; Dixey and Woodall, 2012). This may be because many of these families already had a low socio-economic status and so the loss of wages from the imprisoned parent exacerbates their already strained economic situation (Hairston, 2009). Other invisible costs may include funding childcare places at nursery or afterschool clubs (Codd, 2008) as well as the everyday costs associated to looking after children, such as clothes and food. Research suggests that these circumstances result in the family’s weekly income falling substantially and

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<sup>50</sup> Stigma is discussed in more detail later in this chapter.

leading them to turn to welfare services for support (Smith *et al*, 2007). These welfare costs, in addition to the expense of prison places (see chapter 2), indicate how fiscal arguments have been used in recent years to convince the government that improving the situation for prisoners' families is also likely to be cost-effective (Smith *et al*, 2007; Codd, 2008). Furthermore, it should be noted that families are probably saving the State a considerable sum of money considering that without their caregiving duties, the children would likely become the responsibility of social services and require foster care placements currently charged at around £603 per week (Curtis and Burns, 2015).

It is also widely documented that prison visits are expensive for families because of the travelling costs (Christian *et al*, 2006; Codd, 2008) which is likely a reflection of statistics which have found that on average families have to travel 50 miles each way to the prison (NOMS, 2013). Chapter 2 also discussed how the geographical location of the female prison estate subsequently means families visiting women in custody are travelling much further to the prison (Brooks-Gordon and Bainham, 2004; Codd, 2008; MoJ and DCSF, 2009; Prison Service Order (PSO) 0550 NOMS, 2005; HMIP, 2012) - which inevitably makes this journey more costly. A government-run initiative called the Assisted Prison Visiting Scheme (APVS) provides financial support to families who visit prisoners – though the thresholds for being eligible for this are very low (PSO 4405 NOMS, 2003). Even when an individual is eligible for the APVS further issues arise as the scheme does not cover the costs of refreshments, and families must be able to pay for the journey up front as it works as a reimbursement system (Codd, 2007a). Yet, information about the uptake of this scheme is not published in the public domain and so it is unclear how many families are aware of APVS, or have accessed this financial support.

Furthermore, research with the partners<sup>51</sup> of fathers in prison has indicated additional challenges and stresses of travelling to the prison with the children (Clarke *et al*, 2005).

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<sup>51</sup> Research with male prisoners' partners includes their current partners and ex-partners who were generally the children's biological mothers and were caring for them both before and during their fathers' imprisonment.

The long journeys which these families undertake, often on public transport, can make the children restless or tired before they even reach the prison – which subsequently impacts on the quality of the visit. For some families, the decision not to take the children to the prison is preferred<sup>52</sup> (Codd, 2008). Instead, contact with the imprisoned parent is sustained through telephone calls or letter writing; depending on the age and competency of the child (Boswell and Wedge, 2002). However the costs of this communication is also assumed by families – in sending writing materials and stamps, or providing money for phone credit – as prisoners rely on this familial financial support, combined with their wages, to purchase such items (HMIP, 2016)<sup>53</sup>. Wages are not set at a consistent rate across the prison estate, but we know they tend to be around £10 a week<sup>54</sup>, which may be inadequate considering the Prison Reform Trust (PRT, 2006) reported that prison phone calls can be up to five times more expensive than they are in the community.

Telephoning *mobile* phones is even more expensive, which in contemporary society and in relation to children and young people may be the only, or most viable, form of telephone contact. Mobile phones may also be preferred considering opportunities for video-calling and texting are not available to prisoners. Email-a-prisoner is an initiative being rolled out across the prison estate in England and Wales, but families must also fund this contact, paying 30p for a 50 line message (HMIP, 2016). Thus, caregivers may experience these financial challenges whilst caring for the children of female prisoners – although further research is required to understand how this is perceived and experienced in their lives and accounts.

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<sup>52</sup> As well as logistical issues, other reasons why contact may not be facilitated could depend on whether the children have been told the true whereabouts of their imprisoned parent, and considering this with the age of the child whether a prison visit may reveal the truth. Research has indicated that children are not always told the truth about their parent's whereabouts, though this was generally dependant on the child's age and competency levels, for instance in being able to understand what a prison was (Morris, 1965; Shaw, 1987; Katz, 2002; Murray, 2007; Murray and Farrington, 2008)

<sup>53</sup> Telephone contact can only be established one-way because prisoners cannot receive incoming calls and are not permitted a mobile phone with them in prison (HMIP, 2016). In principle an unlimited number of letters can be sent and received by family members, with the government issuing one pre-paid letter to each prisoner per week.

<sup>54</sup> This information is anecdotal – gained from insights and conversations on my prison placement.

Research on paternal imprisonment also found that the employment status of the children's mothers (as caregivers) changed following the fathers imprisonment (Losel *et al*, 2012). Similarly, caregivers of female prisoners' children may also adapt their participation in paid work after assuming care of the children. These decisions could be governed by many factors, including the age or number of the children, as well as their previous working history and age. Considering that the majority of children with incarcerated mothers are cared for by their grandmothers (Caddle and Crisp, 1997) this population may be substantially older than the caregivers of male prisoners' children<sup>55</sup> - and subsequently decisions to enter or leave the labour market may reflect their different life-stage.

Grandparents have played an increasingly important role in many families in recent years – supporting family members during times of crisis, and in assuming many childcare responsibilities. The changes in family formations have required more input from grandparents, for instance in dual worker families, lone parent families and following parental divorce. However, providing this care has been found to impact on grandparents' physical and mental health, their social networks and financial situation (Jendrek, 1993; Bachman and Chase-Lansdale 2005; Villar *et al*, 2012). Generally the nature and extent of care provided by grandparent's is positioned on a continuum<sup>56</sup> (Villar *et al*, 2012) whilst maternal imprisonment requires some grandparents to assume full-time care of the children. For this reason, it is conceivable that these grandparents will experience similar adversities to those outlined above in previous research.

Alongside grandparents, other female relatives including sisters and aunts were looking after the children during their mothers' imprisonment (Caddle and Crisp, 1997). This is supported by subsequent studies which have found that researching prisoners' families

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<sup>55</sup> The research cited earlier by Losel and colleagues (2012) was undertaken with the partners (often biological mothers) of the children whose fathers were in prison. Therefore, the age of this sample is likely to be younger than the expected age of many caregivers for imprisoned mothers' children – as in most instances these come from a different generation.

<sup>56</sup> At one end of this continuum grandparents may be a resource for occasional care, whereas on the other end of this continuum grandparents may provide full-time care.

is a highly gendered terrain (Condry, 2007a, 2007b; Codd, 2008). Regardless of the gender of the imprisoned person, this research has suggested that it is female relatives who bear the burden of supporting the prisoner and other family members outside. However, it is not known in the literature if female relatives have other dependants, including their own children, when they assume care of the mothers' children and what implications this may have on the dynamics and renegotiations which take place. This may include both adjustments in 'family practices' and relationships in the household, but also with the imprisoned mother as these temporary caregivers become the intermediary for mother-child contact (Bosworth, 1999; Enos, 2001; Ferraro and Moe, 2003; Haney, 2013). This feeds into the work by Brody (2004) in which she proposed that female relatives are positioned as "women in the middle". This is because the care of several family members increases the demand on the time, resources and emotions of female relatives, placing them in the middle of the complex web of family relationships and responsibilities.

However, in one in ten families children were cared for by their fathers during maternal imprisonment (Caddle and Crisp, 1997). Although little is known about the circumstances of these families in previous research, the gendered, relational and situational differences of these father-caregivers to those of grandparents and female relatives could mean their views and experiences are similarly distinct. Other factors that may influence how the mothers' conviction is experienced by family members could be determined by the mothers' offence, the length of sentence given and the media's reporting of the crime. For instance, previous research has indicated the harmful role of media outlets for the allocation of stigma for prisoners' and their families (Boswell, 2002; Murray 2005; Codd, 2008; Shamaï and Kochal, 2008).

### ***Familial stigma***

Strong normative assumptions around crime and motherhood feed into the perceptions and discriminatory treatment and view of prisoners' family members (Laing and McCarthy, 2005; Condry, 2007a, 2007b; Codd, 2008). Stigma is considered to be one of the unintended consequences of a parental imprisonment that remains

relatively under-researched (Phillips and Gates, 2011). Linked to Goffman's (1963) theory of 'courtesy stigma' there is a negative attitude towards the family members of prisoners because of their proximity and relationship to the prisoner – and someone who is highly stigmatised and devalued individual in society. As Condry (2007b:61-62) explains; "the ties that bind kin together are strong enough for dishonour to flow from the actions of one relative to another". From her research with family members of serious offenders, Condry (2007a) found that "kin contamination" and "kin culpability" were widely experienced in these families. On the one hand "kin contamination", attuned to Goffman's (1963) stigma theory, found that the family's relationship to the stigmatised individual caused their status to similarly be devalued. Research with prisoners' children found that they were subjected to discriminatory treatment, often bullying from peers at school, but also from teachers and neighbours and in the media (Boswell, 2002; Katz, 2002; Chui, 2010). This hostility is likely born out of assumptions that the "apple doesn't fall far from the tree" and concerns around their capacity as future criminals. This feeds into anxieties around intergenerational offending which, although requiring further research<sup>57</sup>, has found that children of prisoners could be at risk of becoming the next generation of offenders (Shaw, 1987; Murray and Farrington, 2005).

"Kin culpability", on the other hand, refers to the application of blame to families for their failure to successfully function and produce citizens to the expectations of society. This stems from the moral and social responsibilities placed on families in child-rearing and socialisation. As such, families are made to shoulder some of the blame for failing in their primary function when an individual transgresses from societal expectations through criminal behaviour. This latter form of societal disapproval ties into more recent political and legislative rhetoric which has encouraged family

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<sup>57</sup> Research has found that prisoners often come from families where at least one other member has a criminal record suggesting a trend in familial offending (Laing and McCarthy, 2005; Williams *et al*, 2012). However the cause and effect of this are not clear; it is not known whether the social environment (and mostly disadvantages) facing members in the same family are the reason for offending behaviour or whether there are other reasons for these findings. Therefore, more research is required to reveal how and why these trends may exist.

members to take responsibility for one another. This can be seen, for example, in the Criminal Justice Act 1991 which introduced parental responsibility for children's criminal behaviour and was further extended in 2000 when courts were given the power to imprison parents for up to three months for their children's truancy (Condry 2007b).

Research suggests that people in the families' close social network 'rally around' one another when a person is imprisoned (Codd, 2008) which is likely because the social disapproval of their familial circumstances could evoke reluctance to tell other peers about the whereabouts of their imprisoned relative, including work colleagues, neighbours and teachers. Codd (2008: 67) has suggested that family members make the decision to share their positionality based on "calculated risk-taking" because disclosures may render support or further exclusion. For this reason, previous studies have found that support groups have been valued by family members as these communities create fictive kin networks (Condry, 2007a, 2007b; Codd 2002, 2008). Developing relationships with others in similar circumstances may be beneficial to prisoners' families because, as mentioned previously, prison remains somewhat hidden in society (King and Wincup, 2000; Martin, 2000) and so it is difficult for many people to grasp its unique essence. Linked to this, it is also likely that people in the general population draw on media representations to gain some insight into prison and prison life, though as explained in chapter 2, these may be dramatised and present inaccurate images of the realities of crime and punishment (Sparks 1992; Mason 2007; Marsh, 2009). These negative depictions may derive erroneous and discriminatory social perceptions of prisons and prisoners, which may explain the stigma and lack of social verification for imprisonment for families; as it is not viewed as a 'loss' that is socially significant (Arditti, 2016).

However, it is appropriate to note that in some instances the removal of a parent into custody may result in better outcomes for children when, for example, the parent was a perpetrator of domestic abuse or practising adverse criminal behaviours within the family home (Codd, 2008). Correspondingly, Boswell (2002) cautioned that research

with prisoners' children should not view this population as a homogenous group. Children's lives during this period of parental separation will be different – not least because of factors such as age, gender, length of sentence, quality of parent-child bond and caregiver-child bond (Laing and McCarthy, 2005). Even within the same family, siblings may be divided and allocated different caregivers and homes (Hairston, 2009) having the potential to alter the families experiences even when the same parent is incarcerated. Thus, previous research has documented the various reactions children can exhibit and experience when their parent is imprisoned – such as “fear, anxiety, anger, sadness, guilt, loneliness, low self-esteem, depression, emotional withdrawal, anti-social behaviour and reduced academic performance” (Laing and McCarthy, 2005: 4; Caddle and Crisp, 1997; Boswell and Wedge, 2002; Losel *et al*, 2012). Correspondingly, these diverse experiences are likely to shape how maternal imprisonment is experienced and negotiated by the children's temporary caregivers.

So far this chapter has provided a detailed review of the research literature and some family-centred insights into maternal imprisonment – though it was also clear throughout that there are many gaps in our knowledge owing to the paucity of research evidence. Moving forward, the remainder of this chapter critically examines the representation of prisoners' families in public policy and penal discourse.

### **Prisoners' families; instruments in public policy and penal discourse**

Prisoners' families have received increasing attention in government and penal discourse over the past two decades (Codd, 2007a, 2008; Mills and Codd, 2008; Manby *et al*, 2013). This interest stems from a perspective which has gained legitimacy and which supposes that family ties can produce better outcomes for the prisoners. This is likely because families can function as a source of social capital; bringing social and relational connections as well as shared norms and expectations to support the prisoner's development and resettlement process (Mills and Codd, 2008). Although there are pragmatic reasons why familial relationships should be considered as a resettlement agency, Codd (2007) has cautioned that an over-reliance on under-supported and under-resourced family members is problematic.



The Social Exclusion Unit report (SEU 2002: 110) successfully brought prisoners' families onto the agenda by stating that; "maintaining family relationships can help to prevent prisoners re-offending and can assist them to successfully settle into the community". Consequently, this report paved the way for much of the subsequent government rhetoric regarding the important role that families play in supporting a prisoner in the Criminal Justice System (CJS) (Her Majesty's Inspectorate of Prison and Probation (HMIPP), 2001; Home Office, 2004; NOMS, 2009; MoJ and DCSF, 2009; Criminal Justice Joint Inspectorate (CJJI), 2014; Prison and Probation Ombudsman (PPO), 2014). For example, it is not uncommon to read statements akin to the one following in government documents:

"Family relationships are a factor in whether an offender will go on to commit further crime and a strong family relationship can help offenders make and sustain the changes needed to turn away from crime [...] hence working with families to reduce re-offending could represent huge savings for society" (MoJ and DCSF, 2009: 21)

Aside from small cameos such as this – prisoners' families are almost invisible in public policy in England and Wales – and tracing their whereabouts is described by one academic as a "frustrating exercise" (Codd, 2008:10). This is likely because prisoners' families' do not sit neatly in one area of public policy but cover many areas including, but not restricted to; social policy, penal policy, law and social work. Codd further argues that the increased inclusion of prisoners' families in such documentation does not illustrate an increased social concern for their specific welfare needs, but instead utilises them as "instruments of penal policy" (p.258), alongside a desire for producing "electorally attractive sound-bites" (p.13). Consequently, the fashioning of families in this capacity focusses only on their usefulness in supporting the prisoner – the prison service and the State – whilst failing to appreciate the challenges associated with being a family grappling with the repercussions of having a member in prison.

In particular, prisoners' families are characterised as being especially key in supporting prisoners; first during the sentence in alleviating some of the effects of prison, and secondly in aiding the prisoner on release in reducing reoffending and supporting their positive resettlement whilst providing motivation to desist from future law-breaking behaviour. These two areas are explored in the ensuing sections.

### ***Familial support for prisoners during their sentence***

During a prisoner's custodial sentence, familial contact is strongly advocated as a means to alleviate some of the 'pains of imprisonment' (Sykes, 1958) – specifically in relation to the separation from family members which is widely recognised as the hardest aspect of imprisonment (Dobash *et al*, 1986; Carlen and Worrall, 2004). Indeed family members value the opportunity to meet face-to-face with their imprisoned loved ones as well. This sentiment is illustrated in the Prison Rules (1999) which state that:

“Special attention shall be paid to the maintenance of such relationships between a prisoner and his family as are desirable in the best interests of both” (Rule 4 (1))

Not only is contact with family perceived to have positive implications for prisoners' mental health (Woodall *et al*, 2009), it is also thought to “normalise” the prison context to remind prisoners of their responsibilities on the outside (Hairston, 2009). In doing so, it is presumed to reduce the effect of prison institutionalisation (Codd, 2008). This is because family relationships provide a sense of identity, and security, which can remind the prisoner that they are not forgotten within their familial networks (Dodge and Pogrebin, 2001; New Philanthropy Capital (NPC), 2011). Beyond this, there is also recognition of the benefits of family contact for the behaviour of prisoners – and thus greater prospects and capacity to manage the prison effectively (Woolf Report, 1991; Loucks, 2005; PSI 16, NOMS 2011). From the perspective of the prison, family contact can reap benefits in sustaining the wellbeing of the prisoner, and, linked to this, can

inadvertently support the smooth running of the custodial environment. This is exemplified in the following statement, taken from a Prison Service Instruction (PSI):

“Visits also assist in maintaining good order. Good quality visits in a relaxed environment make a significant contribution to the wellbeing and attitude of prisoners” (PSI 16, NOMS 2011:2)

There is a wealth of policy and prison based literature which promotes family visits in the prison context (SEU, 2002; MoJ and DCSF, 2009; PSI 15, NOMS 2011; PSI 16, NOMS 2011). However, what this fails to recognise are the practical, emotional and financial difficulties facing prisoners’ families in maintaining contact, and especially prison visits, which as we have already seen in this chapter and in previous research, can be challenging (Loucks, 2005; Christian *et al*, 2006; Condry, 2007a, 2007b; Codd, 2008; NPC 2011). Research with family members visiting a prisoner has suggested how the environment and processes can be hostile, intrusive and adverse (SEU, 2002; Condry, 2007a; Codd, 2007a, 2008). Novice visitors have reported finding the experience daunting and frightening whilst simultaneously embarking on a “socialisation process” to learn the required etiquette in this unknown context (Condry, 2007a: 6). The processes have also been criticised for inflicting degrading and humiliating search procedures amidst strict security protocols which take precedence (Condry, 2007a; Codd, 2008; Dixey and Woodall, 2012). This is despite prison guidelines stating that family ties must be appropriately weighed against public protection and security (PSI 16, NOMS 2011) and previous research suggesting that visits operating in a supportive and welcoming environment can be beneficial for all parties (Poehlmann *et al* 2010; Gilham 2012; Losel *et al*, 2012; Poehlmann-Tynan, 2015; Tasca, 2016).

In entering the “liminal space” of the visits hall<sup>58</sup> visitors can experience a change of status and identity as they become situated somewhere between the prisoners and the prison officers (Comfort, 2003; Codd, 2007a, 2008). Their freedom is somewhat

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<sup>58</sup> Visit halls are located within the prison walls and so although family members are free citizens, in entering the prison and this space, they are also subjected to the rules and regulations of the prison. Thus, their positionality is during this time is on the cusp of the outside and inside worlds.

removed as they are subjected to the rules and regulations of the prison regime. For this reason Codd (2008: 60) has considered how these visitors acquire a status of “quasi-inmates”. There are also boundaries on the physical contact between prisoners and visitors, and although there have been developments in recent years to reduce these (MoJ and DCSF, 2009), reports have shown restrictions around kissing at one women’s prison, HMP Styal<sup>59</sup> which somewhat undermine such initiatives (Bunyan, 2006). These considerations appear to contradict what the prison guidelines had envisaged when they stated that visits should generate a “*relaxed and informal*” environment (PSI 16, NOMS 2011:9 italics original).

Research with prison officers has further suggested that family visits are viewed with extreme security anxieties as they not only interfere with the prison regime, but also increase the likelihood of contraband entering the prison (Dixey and Woodall, 2012). This supports earlier findings by Broadhead (2002) which found that family visitors were “a nuisance” for officers which may explain the unwelcoming reception and treatment families have reportedly experienced during visitation. In some instances, families may be a nuisance before they even arrive at the prison location. Previous research has indicated that families can struggle to contact the prison to book visits (Loucks, 2005; Mills and Codd, 2008) or understand how the booking facilities work once a prisoner is transferred between prisons – as the booking systems are not the same at each establishment (Broadhead, 2002). More recently an online booking system has been rolled out across the prison estate to allow family members to book their visits on the internet, although it is not known if this resource has been effective.

Having critically examined the existing research, it is clear that the prison service policies which assert that “*visitors must be treated courteously and with respect at all times*” (PSI 16, NOMS 2011:9) are somewhat questionable, and in need of further inquiry. Flowing from this, similar criticisms around the treatment of prisoners’ families can be

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<sup>59</sup> HMP Styal is female prison in Cheshire. Kissing was banned between female prisoners and their visitors on security grounds (Bunyan, 2006).

seen in the depiction of family relationships as a supportive function for prisoners on their release back into the community.

***Supporting the release; a lack of genuine commitment for prisoners' families?***

The recent white paper on prison reform stated that one of its four aims was to “prepare prisoners for life outside the prison” (MoJ, 2016a:20) which reflects the importance placed on their reintegration back into society once the sentence has been served. In particular, government publications have suggested that positive and strong family ties are a deterrence for future criminality (SEU, 2002; Home Office, 2004; MoJ and DCSF, 2009; CJI, 2014). “Children and Families” were introduced and formally recognised as one of the seven pathways to reduce recidivism in the “National Reducing Re-Offending Action Plan” (Home Office, 2004). More recently a multi-agency report commented that “overwhelmingly, this inspection confirmed our view that an offender’s family are the most effective resettlement agency” (CJI, 2014:5). This perception has also filtered into prison service discourse, resulting in family ties being advocated to this end; evidenced in Prison Service Instruction (PSI) 16 (NOMS, 2011) which states that family ties are integral to the prisoners’ rehabilitation as they are:

“Less likely to reoffend if they have received family visits whilst in custody. Regular and good quality contact time between an offending parent and their children/partner provides an incentive not to re-offend and helps prisoners arrange accommodation, employment/training on release” (p.2).

The assumption that family ties can reduce re-offending in the first year by up to six times is also found recurrently in the literature; primarily in scholarly writing and by voluntary organisations working with prisoners’ families (Codd, 2008; Flynn, 2013). However, in tracing the origins of this statement in the UK<sup>60</sup> it appears that a government research bulletin (Ditchfield, 1994) is inadequately referenced; meanwhile Loucks (2005) traced this figure to research undertaken in the US (Holt and Miller,

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<sup>60</sup> The discovery of Ditchfield (1994) was as a result of my own searching endeavour. Flynn (2013) has undertaken a more in-depth examination to this statistic and found other citations; although also concluding that these were also ill-founded.

1972). Hence, Flynn (2013: 215) reported that this statistic is “spurious, or at best ill-founded and poorly established”. For the most part, the acknowledgment that family ties can reduce re-offending is attributed to their provision of practical, social and financial support – especially in relation to accommodation and employment. Empirical evidence for such claims originates from government research; and specifically the Home Office resettlement surveys (for example, see Niven and Duncan, 2005). This research indicated that those prisoners who received at least one visit during their prison sentence were almost three times as likely to have accommodation and more than twice as likely to have education, training or employment (ETE) arranged on release (*ibid*). From this evidence, it was also inferred that families played an active role in supporting the prisoner in their resettlement, with 51 per cent of those prisoners with ETE reporting that this was organised through friends and family.

Although there appears to be a relationship between family ties and post-release experiences, the nature and strength of this remain unclear and so these surveys have been subjected to severe criticisms from academics. Firstly, a causal link between receiving visits and these outcomes cannot be assumed without further investigation (Mills and Codd, 2008; Codd, 2008), and especially without questioning how other forms of contact (such as letters or telephone communication) may factor in. Secondly, they fail to qualitatively understand how and why this contact appears to have an influence on resettlement and there are limitations in generalising these findings to the female prison population as less research has been conducted with women on release (Eaton, 1993; Mills and Codd, 2008). Thus, future research is required to better establish the links between family support and improved resettlement outcomes for prisoners (Visser and Travis, 2003) as the current argument is underscored with little substantive evidence.

Exacerbating this, families do not receive any statutory assistance from the State which has resulted in some scholars being sceptical of the government’s genuine commitment to prisoners’ families – arguing that the burdening of these individuals with such a big task is simply a method adopted by the State to “shrug off” the

responsibility of the negative impact of serving a custodial sentence (Codd, 2007a: 259). The SEU report (2002) outlined the additional support which prisoners' families require to enable them to shoulder these responsibilities, whilst similarly arguing that these were not currently being implemented. For instance this report stated that; "support and advice for families is limited, visiting facilities are often inadequate, and families are rarely involved in the process of tackling offending behaviour" (SEU, 2002:110). As a result, many families are not adequately equipped to deal with these responsibilities on the prisoners' release nor actively involved, or considered, in resettlement processes organised by probation services (Mills and Codd, 2008). On the one hand, the Home Office (2006:29) claimed that "social and family ties are at the heart of offender management", whereas on the other hand a recent multi-agency report announced that "far too little attention has been given by prisons to the roles of families in the resettlement process" (CJI, 2014:7).

In burdening the families with such responsibilities, there is a tendency to forget that having a family member imprisoned can be "profoundly stressful" which has already caused significant implications for the caregiving, financial and practical role of many family members (Mills and Codd, 2008: 16). Equally, it assumes that all prisoners' families are alike<sup>61</sup>; that they are willing to support an offender during custody and in the community; that they were not the victims of the prisoner's crime; and that they, themselves, are not also involved in criminal activity (Codd, 2007a, 2008; Mills and Codd, 2008). The literature cited within this section which advocates familial support tends to ignore the fact that prisoners' families are not homogenous and may not want (or have) the capacity<sup>62</sup> to be positively involved in the prisoners' sentence. For caregivers of prisoners' children – the burden of taking on these additional responsibilities may already be enough to handle during a parent's imprisonment -

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<sup>61</sup> This is assuming that the prisoner has familial networks. Considering that 31 per cent of women in prison were in social care at some point during their childhood, it is not unreasonable to assume that some of these women may not have stable family ties (Williams *et al*, 2012).

<sup>62</sup> A substantial proportion (15 per cent) of the female prisoner population are foreign nationals (PRT, 2016). Although not the focus of this research, it is thought that many foreign national prisoners' families may experience even more difficulties in maintaining contact across borders (Mills and Codd, 2008)

making them less able and/or likely to want to support the prisoner as well. Arguably, this approach removes agency from the individual family members. As Finch (1989:8) cautions:

“Where social policies are designed to encourage a particular version of family responsibilities, they are in fact seeking to create a particular moral order which may or may not accord with what people themselves actually feel is proper”

These sentiments are not intended to refute the need to support families but instead suggest that “that a naïve endorsement of a ‘happy families’ model is simplistic and ignores the reality of many prisoners’ family members” (Codd, 2008:30). The outcome instead produces “electorally attractive sound-bites” from the government (Codd, 2008: 13; Clarke *et al*, 2005), which is unfortunately set against a backdrop of dwindling support and inadequately funded initiatives for the families charged with these responsibilities. As New Philanthropy Capital ((NPC), 2005: 3) summarised; “rhetoric from government ministers in this area is commendable, but action has been poor”.

### ***Support for prisoners’ families***

Progress has been made in some areas of the prison system towards more family-friendly practices, for example following influential reports such as Woolf (1991) and SEU (2002) there has been an expansion of extended visits, play areas and parenting classes in prisons in England and Wales (Codd, 2008). Yet, it appears that even more could be done (Brooks-Gordon and Bainham, 2004) and especially considering there is no statutory organisation or unit in central government tasked with the responsibility for prisoners’ families in England and Wales (SEU, 2002; Codd, 2008; Williams *et al*, 2012). We learned in chapter 2 how children are not systematically identified in court proceedings or on a mother’s reception into prison because no criminal justice agency has taken responsibility for recording this information. It is for this reason that gauging the accurate figure of children experiencing maternal imprisonment in England and Wales is impossible – and why statutory services cannot be geared towards families. At



present, enough information about who, where and what is happening in the lives of families when a mother is imprisoned is woefully inadequate.

Prisoners' families are heavily reliant on services provided by third sector and voluntary organisations (for example, Prisoner Advice and Care Trust (PACT); Partners of Prisoners (POPS), Ormiston Children and Families Trust). This includes the "Offender's Families Helpline" which is an effective free-phone service funded by the government but managed by the voluntary sector to provide information and support to family members of prisoners (Codd, 2007a; Sharratt, 2014). There are also initiatives where local voluntary organisations are based in courts to support families after sentencing, and services running in prisons, for instance the "First Night in Custody"<sup>63</sup> wing set up by PACT at HMP Holloway. Yet generally these organisations often struggle to get long-term funding and support, and often exist with extreme anxieties around the next tenure (Codd, 2008; Mills and Codd, 2008; NPC, 2011). They are especially vulnerable following the decision to privatise the probation service amidst the 'Transforming Rehabilitation'<sup>64</sup> agenda and the introduction of private companies to support "through the gate" work – more competitive and based on payment by results. As a result of this, further uncertainty is being felt by charities in this sector – as the changing landscape may mean more competitive bidding for contracts and even less economic security.

The changes within 'Transforming Rehabilitation' echo the increased punitive stance adopted by successive administrations in England and Wales which has characterised modern socio-political thinking in 'crime and punishment', born out of the 1980's and the introduction of neo-liberalism in England and Wales (Cavdino and Dignan, 2002;

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<sup>63</sup> "The First Night in Custody" service aimed to reduce women's anxieties on reception to prison. Staff could telephone children and families, and explain aspects of the prison regime to family members both inside and outside the prison (King, 2002). HMP Holloway has since been closed and this initiative, to my knowledge, is not being run in any other female prison.

<sup>64</sup> Transforming Rehabilitation is a reform programme initiated by the Coalition government and taken forward by the current Conservative administration. It changed the way offenders were being managed in England and Wales in April 2015; with private organisations and voluntary organisations bidding for contracts to provide "through-the-gate" resettlement work with less serious offenders whilst the National Probation Service (NPS) continued to take responsibility for more serious offenders on their release into the community (see <http://www.justice.gov.uk/transforming-rehabilitation>).

Liebling, 2004; see chapter 2). It is also evidence of the growing concerns around re-offending, which as discussed in this chapter has led to families being utilised to support with reducing recidivism. Within this climate, penal policy is fraught with dangers around being perceived as “soft on crime” by the electorate or vulnerable to pro-criminal critique within the media (Codd, 2008). However, as we have seen, such perspectives alongside inaccurate media attention are likely to have caused families of prisoner’s stigma and social exclusion following their relative’s imprisonment (Laing and McCarthy, 2005; Condry, 2007a, 2007b; Codd, 2008). Thus, the overriding preference to remain punitive and steer clear of societal and media disapproval has resulted in successive governments failing to adequately recognise and support prisoners’ children and families. As the latter half of this chapter has demonstrated, this has occurred at the same time that policy and penal rhetoric has been pressurising families to take responsibility for their imprisoned relative.

## **Summary**

This chapter has shown why it is appropriate to look beyond the individual prisoner to consider how a mother’s prison sentence may be experienced within the wider family. Drawing on Morgan’s (1999) ‘family practices’ theory and Finch’s (2007) concept of ‘display’ - the impact of a mother’s imprisonment was explored through a critical examination of relevant literature. Several aspects of family life require reconsideration and readjustments in the mother’s absence including, for instance; mothering practices, domestic arrangements and methods of contact and communication. These changes often happen whilst family members are navigating highly stigmatised circumstances owing to negative social perceptions of them and their ‘loss’ of the imprisoned relative. Several gaps were identified in our current knowledge around prisoners’ families – mostly as a result of the lack of research attention maternal imprisonment has received in England and Wales.

However, the representation of prisoners’ families in government discourse highlights the key role which familial relationships can supposedly play in supporting the prisoner - both in custody and on release into the community. This perspective views families

instrumentally as a conduit to assist the prisoner in their rehabilitation, whilst focussing on the benefits such relational ties can have for the prison service and society. In spite of this, the specific needs of the families are overlooked, revealing a disingenuous commitment to supporting these families by the State. Thus, it is important to question how, and in what ways the demands made in policy rhetoric around reducing re-offending, and their pledge to support family ties, is being experienced by family members with the lived experience of maternal imprisonment. Moving forward, the next chapter sets out the methodological decisions which guided the empirical part of the study.

## **Chapter 4 - Methodology**

Having spent six months immersed at HMP Bronzefield women's prison during a placement in the first year of my doctorate, I learned a considerable amount about operational processes and everyday life for family members both inside and outside the prison walls (see chapter 1). Not only did this introduce me to some of the struggles that families grapple with during a mother's prison sentence, but it provided invaluable insights into operational procedures in the custodial environment. This included the prison regime, security rules and processes as well as jargon and staff-prisoner relationships, all of which had considerable value as I designed, operationalised and collected data during my fieldwork. The placement also taught me that research of any kind with imprisoned mothers and their family members was going to present distinct challenges. In particular it was apparent that emotional sensitivity was required when researching family life for those separated from their loved ones, and to be extra vigilant to ensure ethical issues were addressed and managed throughout the research process.

This chapter outlines the methodological and ethical decisions that guided the research process, firstly detailing the qualitative research approach and methods, before discussing the fieldwork phase, including my experience of negotiating access and recruiting the two cohorts. These sections include some reflection on the research process, for instance around the predominantly white British cohort of mothers, and the joint interviews conducted with some of the family members and friends in the caregiver cohort. Following this, I describe those unexpected ethical moments that cropped up in the field, whilst the final section outlines the data analysis and introduces the final sample of thirty families who participated in this study.

### **Research approach and methods**

A qualitative research approach was chosen because its methods allow for greater insights into people's lives and own conceptualisations (Snape and Spencer, 2003). This method is more responsive to the participants and their thoughts on a topic which can

be valuable when researching a relatively unknown area - such as maternal imprisonment. Thus, a qualitative research approach was a suitable method to answer the two research aims of this study, which were:

1. To explore how maternal imprisonment is experienced from a family-centred perspective;
2. To critically examine female prisons serving England and Wales, and identify how processes within this institutional context impacts on mothering and the family.

Additionally, the philosophical orientation of the researcher plays a large role in governing the research project (Bryman, 2012), and so my positioning within the post-positivist paradigm, aligned to social constructionist ontology and epistemology was also relevant in this decision-making process. From this perspective I believe that knowledge is socially situated and created by actors through interactions which show and communicate how they understand and perceive their social reality within a given time and space. Qualitative research methods compliment this philosophy and its tools facilitate an in-depth exploration into individuals' interpretations of their own social world (Warren, 2002). Flowing from this, the choice of in-depth semi-structured interviews was an appropriate data collection method to aid this inquiry.

### ***In-depth semi structured interviews***

In-depth semi-structured interviews were chosen as the medium to explore the participant's descriptions into their lives and experiences, and to gain insights into the meanings attached to these (Legard *et al*, 2003). Data collection using the interview tool is premised on a dialogue and exchange between the interviewer and interviewee, and is well suited to research projects that focus on acquiring knowledge from experience (Braun and Clarke, 2013). Its methods are well-equipped to allow the researcher to manage the exploration of pre-selected themes, whilst also responding to the emotionality of sensitive research topics by being reactive and flexible. Therefore, this tool was an appropriate medium to respond to the following objectives outlined for this study which were:

- To explore the nature and impact of maternal imprisonment on family practices from the perspectives of family members with this lived experience;
- To identify how family life is shaped by operational processes within the custodial environment and the ways in which this affects the maintenance of family ties from the perspectives of family members both inside and outside of prison.

Interviewing can also respond to some of the power imbalances in social research between the “researcher” and “participant”. This was something I was especially aware of in this study given that the participants were prisoners, and family members of prisoners, who may have perceived themselves as having less power or knowledge than me; as someone coming from a university. To help alleviate this power imbalance, I made sure that I presented myself as a “student” when I approached potential participants. I communicated clearly that I hoped to learn about their experience of maternal imprisonment, and that I thought the best way to do this, was to talk to family members who had lived through this first-hand, and could offer important, nuanced insights into the experience. I explained how my own personal history had afforded relatively little contact with prison, because I did not know what it was like to navigate these challenges, either as a prisoner, or as a family member (see chapter 1). Braun and Clarke (2013) suggest that removing the “expert” label can be beneficial during data collection, and I found this an effective way to break down this particular barrier to participation. Later in this chapter, I return to this process by reflecting on the ways in which my “student” label appeared pertinent to the caregiver cohort.

Furthermore, the flexibility of in-depth semi-structured interviews enabled me to be responsive to the needs and wishes of the family members participating. This was especially effective with the caregiver cohort when multiple family members and friends came forward to take part in the research, resulting in a total of 24 participants from 15 families being included in the final sample. This mixed and open format of interviewing meant that in some families, interviews were conducted jointly with two family members or friends, who had self-identified as having a caregiving role to the

imprisoned mothers' children. I felt it was important to adapt and respond to the family's preferences, and to be as flexible as possible during data collection. It is also important to note that this joint participation also aided a deeper understanding into the ways in which families were collectively responding to the mother's imprisonment and sharing responsibilities, which informed my data analysis.

Nevertheless, I acknowledge that other qualitative methods may have provided useful insights into the research topic and especially focus groups as this approach can generate rich data through the interactions and discussions between participants with similar lived experiences (Finch *et al*, 2014). However, drawing on my placement experiences it was clear that difficulties may have arisen whilst co-ordinating focus groups for both cohorts; as firstly, imprisoned mothers may not have spoken freely out of fear of gossip or the associated issues around lack of privacy in the institutional setting. One-to-one interviews were considered especially appropriate when discussing such a personal and sensitive topic with mothers separated from their children. Secondly the location of female prisons in England and the considerable distance family members lived on average from these establishments would have caused some logistical issues (see chapters 2 and 3), and potentially conflicted with the carer's childcare responsibilities. Alternatively the one-to-one interviews were mostly organised at the carer's home at a time that suited them and their busy schedules and everyday lives. In-depth interviews also provided a safe and intimate environment for the exploration of sensitive issues, and I considered that disclosures in this setting were likely to leave participants less vulnerable or exposed than within a group situation (*ibid*). Thus, it was decided that the benefits of interviewing outweighed the many additional issues that would have accompanied the facilitation of focus groups.

### ***The interview schedule***

I prepared two semi-structured interview schedules, each corresponding to the specifics of the research groups – the mothers and the caregivers respectively (see appendices A and B). The schedule included pre-selected topics and open-ended questions (Arthur and Nazroo, 2003); the former drawn from issues that I had

observed during my placement, and the latter to facilitate more flexible inquiries. The interview schedule allowed for some simple counting at the beginning of the dialogue, mostly collecting demographic information. From this, I undertook basic comparisons to identify similarities and differences within and across the samples (see later in this chapter). Questions were ordered to ease comfortably into the interview, with more sensitive questions developing later in the discussion. Attention was also given to concluding the interview so that interviewees could ease out of the conversations by closing with more positive questions and topics (Noaks and Wincup, 2004). The chronology of the schedules attempted to guide the respondent's narratives through three different life stages, as detailed below:

1. Life before the mother's imprisonment
2. Life during the mother's imprisonment and their current familial circumstances, including their contact with children from prison.
3. Future plans and expectations for the mother, children and other family members

I remained focussed on the exploratory nature of the research tool and ensured that the participants were free to steer the conversation to details which were relevant to their life world (Legard *et al*, 2003). This provided opportunities to be responsive, to probe to elicit further information and descriptions, and to encourage participants to expand and provide more detail (Yeo *et al*, 2014). Face-to-face interactions were also advantageous to the data collection process as they were useful in establishing and building good rapport and trust between the researcher and participant (Rubin and Rubin, 1995; Kvale, 1996). Yet, Braun and Clarke (2013) suggest that interviewing is a technique that improves with practice and experience. Taking this into account I organised a pilot interview with my supervisor before going into the field, and received critical feedback and pointers. I also used this opportunity to tweak my interview schedule, check the coverage of key information, remove questions that were poorly phrased, and test the overall time of the interview. I continued to adapt the schedule



when new or important areas of interest were generated during data collection, and as part of the iterative interviewing process.

### ***Preparing for fieldwork; ethical considerations***

To ensure that participants were well informed about the research purpose and process *before* they gave their consent to take part, detailed descriptions were given on the information and consent form (see appendix C) and communicated verbally to all potential participants ahead of the interview. This was necessary because the conversations had the potential to cover upsetting topics and experiences in their family life as they reflected on the mother's separation and imprisonment. I was also explicit about the research having no positive or negative bearings on the prison sentence so as to not mislead families. I made sure they knew that I could not influence prison privileges or formal arrangements regarding the mothers' custodial sentence, including contact between family members. I decided not to provide incentives for participation, and although previous prison researchers have used inducements in their projects as part of the 'research bargain' (Martin 2000; Noaks and Wincup 2004), this did not seem appropriate or necessary in my research. Instead, I found that the topic of family life in prison was already an important issue for both the mothers and caregivers alike, and contributing their stories was seen as an incentive to take part.

Consent was gained to audio-record the interviews, and at the start of the interview ethical issues and expectations were revisited<sup>65</sup>. This process was crucial considering that the prisoner population is considered a vulnerable research group because of their status and positionality in a confined institution (Noaks and Wincup, 2004; Dixey and Woodall, 2012). I gave special attention to clearly explaining the parameters of confidentiality because of the lack of liberty this group already experience, making it explicit that my research would work in conjunction with specific areas identified in the

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<sup>65</sup> I covered all the points on the information and consent form verbally to carefully check whether people were able to understand what the research was about, weigh up the pros and cons of taking part and communicate their decision to participate clearly. Following this process, I had no reason to believe that participants lacked the mental capacity or literacy levels to understand the information provided before they decided to take part.

Prison Service Instruction (PSI) which I outlined to them (PSI 13, National Offender Management Service (NOMS), 2012, see also appendix C). The participants were reminded that participation was voluntary<sup>66</sup> and it became evident that this had been effectively communicated when participants exercised agency and withdrew from the research (as discussed later) or paused the interview to allow for some emotional recovery. The interviews lasted anywhere between 45 minutes and two hours, and afterwards the audio-recorder was switched off and time was spent with the interviewee to wind down and to de-brief on the interview experience. Out of an awareness that the interview may have provoked emotions and thoughts which the participants may mull over alone post-interview - part of the de-brief involved signposting the participants to relevant support services. I introduced and/or reminded the mothers about the Family Engagement Worker (FEW) at the prison, and I pointed the carers towards the 'Offenders' Families Helpline'<sup>67</sup>.

It is deemed good practice to extend the participants inclusion in the research beyond the interview, and to subsequently include them in the dissemination process (Maynard and Purvis, 1994). To facilitate this involvement, one strategy commonly used is to provide interviewees with a copy of the written report and/or analysis and invite them to comment on this (Noaks and Wincup, 2004). I decided not to engage in this process because locating the mothers following their release from prison – and especially as many had not identified where they would be living in the future – was likely to cause problems in allowing me to successfully reach them. Therefore, I decided this would not be offered to any of my interviewees, and at no stage did any participant request this information.

In being safety conscious during fieldwork, Davies (2000) asserts that researchers should be diligent about communicating their whereabouts to home and work when conducting interviews in unfamiliar or precarious spaces. Therefore, I used what Braun and Clarke (2013) have called a “safety buddy procedure” where a family member was

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<sup>66</sup> More information about this (ie. withdrawing from the interview or pausing and skipping questions) can be found on the information and consent forms (see appendix C).

<sup>67</sup> See chapter chapter 2 for more information about this Freephone service.

given information about my movements in and around the prison and when interviewing which they were only to act on if there was a problem, and if I did not “check in” at a designated time. I was also careful not to share personal information with potential participants, communicating only my university contact details<sup>68</sup>. Thus, having detailed the ethical considerations that guided the project and were subsequently approved by University of Bath the following section outlines the steps taken to gain access and recruit my sample.

### **Fieldwork; access, recruitment and interviewing**

Not only is accessing prison difficult for researchers, involving several layers of gatekeepers located at both national and localised levels (Cohen and Taylor, 1972; Davies 2000; Martin 2000), but family members of prisoners have also been identified as a particularly hard-to-reach population (Loucks, 2005; Codd 2008; Wood, 2008). Therefore, this fieldwork section constitutes a significant part of the methodology chapter as I describe in detail the intricate and lengthy process of accessing and recruiting my participants over a 10 month period. It is made up of three sections; the process of gaining access to research both samples in the preliminary stage; the recruitment of the cohort of mothers in the first phase; and the caregiver cohort in the second stage.

#### ***Preliminary stage; gaining access and approval***

In accordance with guidelines set out in Prison Service Instruction (PSI) 22 (NOMS, 2014) permission to undertake research within and across the prison estate with both cohorts was gained from the National Research Council (NRC). Although the caregivers are not the direct responsibility of the Prison Service as they are free citizens - they were incorporated into this application as I intended to recruit them in the prison visitor’s centres which are located on prison property, and subsequently fall under the NRC remit. It was important to gain access to the visitor’s centres as my placement showed me how prominent and important this facility was for the family members, and previous research has found it effective in research projects (Wood 2008; Lourerio,

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<sup>68</sup> This included my university email address and a works mobile phone number.

2010). Access to the prison visitor's centres was also necessary considering there is no central record of prisoners' families, or an agency responsible for their welfare which I could refer to or draw on (Williams *et al*, 2012).

The NRC application<sup>69</sup> outlined the research aims and objectives, rationale, methodology and ethical practices. Specific details about how the research would be effectively operationalised in the prison context were required<sup>70</sup> which is where I drew on my placement experiences to demonstrate my knowledge and experience of prison regimes. In response to this initial application, the NRC requested further information about my research intentions and asked for some clarification on a few points. Following my reply, the NRC approved my research (see appendix D) and invited me to contact and co-ordinate with the Governors of the prisons selected for my fieldwork from there onwards.

Four female prison establishments were selected as the research sites for two reasons. Firstly, I had established contacts and collaborated with the Family Engagement Workers<sup>71</sup> (FEW's) at these prisons during my master's degree and the first year of my doctorate. I had spent time shadowing the FEW's in their respective prisons and learned about their work with familial issues. This meant that these practitioners were familiar with me, aware of my research plans and had agreed to support me where possible. Also having spent time with these FEWs, I was more familiar within the respective establishments and their operational processes, which was helpful when planning the research on the ground. Secondly, all four prisons had different characteristics and so it was hoped that this would provide interesting and diverse insights into the research topic. The prisons varied by:

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<sup>69</sup> Attached to this application was the approved ethics form from the University of Bath and my Curriculum Vitae as the lead researcher. I also agreed to provide the NRC with a report detailing the project and the key findings on completion of my doctorate.

<sup>70</sup> For instance, how I proposed recruiting participants in the prison establishments around the regime, what the impact on staff would be and how I would respond to issues of confidentiality.

<sup>71</sup> A voluntary organisation that employed one of the family workers' requested my research proposal and proof of ethical approval which was subsequently approved by their Head of Research and Policy.

1. Classification; being a mix of both open and closed<sup>72</sup> establishments;
2. Geographical location; dispersed across England;
3. Geographical location; in both urban and rural population settings;
4. Management; including both publically and privately run establishments.

I wrote to the Governors of these four prisons, including an information booklet that outlined my research intentions within their specific establishment (see appendix E for an anonymised example). I also offered to share any research findings with the prison on completion of my doctorate as reciprocity is viewed as good practice when negotiating access with gatekeepers (Noaks and Wincup, 2004). For practical reasons relating to time, money and logistics only one prison was approached to recruit my sample of mothers. The three remaining prisons were approached to recruit my caregiver sample by seeking access to the prison visitor's centres. Having liaised with the designated members of staff at the prison establishments, my admission was granted into all the research sites. The following section details the first stage of my fieldwork in which the cohort of mothers were recruited in the prison environment.

### ***Stage one; recruiting the cohort of mothers***

I was granted access to a prison for a month to recruit and interview fifteen imprisoned mothers. Due to the short nature of my fieldwork, it was agreed that I would not be issued keys, but would instead be escorted around the prison by members of the family support team – and mostly by the Family Engagement Worker (FEW). This removed some of my concerns around my movement around the prison - as I considered how carrying keys could contribute to the power imbalances between me and prisoner participants by changing how I was perceived by the mothers; as someone with keys is likely to represent (or be symbolic of) the system, rather than an independent researcher (Martin, 2000; King 2000).

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<sup>72</sup> Prisons have different categories to accommodate the different levels of risk presented by prisoners. Across the female prison estate there are two categories – closed and open – the latter detaining more trusted prisoners.

I prepared and sent information posters and leaflets about the research to the prison ahead of my arrival so that these could be distributed around the prison. Posters were put on notice boards and information leaflets were pushed under the door of all the cells with the intention that every woman would be aware of the research, and if eligible, could opt to take part. I used a combination of purposive sampling<sup>73</sup> and snowball sampling to identify eligible participants (Bryman, 2012), the latter of which was effective because as Martin (2000) explains, prisons are little like “gold fish bowls” in that everything that happens is seen and heard by a large number of people. Therefore knowledge of the research was soon well-known and this was helpful in two ways – firstly as women who self-identified as mothers came forward and opted into the research interview. Secondly I found that when I went into communal spaces (such as the dining hall<sup>74</sup> or wings) the women were already aware of the research project to know whether they would be eligible or willing to take part. In both instances, women and staff often signposted me to mothers who may be suitable for the study which is how the snowball sampling method played out. This meant the recruitment of the mothers occurred quite organically on a first come, first served basis.

I remained flexible and responsive during recruitment, and so any eligible mothers who showed an interest in the research and opted into the study were interviewed at an agreed, convenient time. However, interestingly, the final sample of mothers mostly consisted of women who self-identified as being white British, despite recent statistics indicating that 26 per cent of the prison population are from minority ethnic groups (Prison Reform Trust (PRT), 2016). Although it is not possible to know exactly why this happened, it is important to reflect on the recruitment process which may have led to this sample. One explanation for this could be that I am white British, and that my identity was a factor in influencing the sample. For instance, it may be that mothers from other cultural and ethnic backgrounds did not view me with the same likeness as

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<sup>73</sup> The eligibility criteria are outlined and explained in more detail later in the chapter. However, I purposively sought to identify imprisoned mothers with at least one child under 18 years who was convicted for 4 years or less and has served at least 2 months of this sentence at the time of interview.

<sup>74</sup> At this establishment the dining hall is where all the women collected and ate their lunch and dinner. For this reason, I used the dining hall as a place to identify and recruit mothers for the research.

white women, and did not feel comfortable disclosing sensitive information with me and/or did not feel that I could appropriately represent their voices.

Another explanation could be that the language being used – both in written documents (posters and leaflets) and verbally (when I met with the women face-to-face) – was not accessible to some of the mothers. For example, it may be that some mothers had limited literacy skills, and for this reason did not feel comfortable or able to participate in a research activity which involved reading and writing (e.g. consent form). Rich and valuable data was collected from the mothers who took part in the study, but it is important to note that the findings will reflect the sample, which mostly consisted of white British mothers. As a consequence of this, the findings may not be representative of mothers from other cultural or ethnic backgrounds, and future research may be well-placed to examine these intricacies.

Whilst conducting my fieldwork, on some days towards the start of my fieldwork I experienced a few difficulties gaining access into the prison. I believe this occurred because of shift patterns in the “the gatehouse”<sup>75</sup> which meant in the first week staff were not familiar with me. This was only exacerbated when I sought to carry a recording device around the prison as this is generally considered to be contraband<sup>76</sup> despite having the correct approval to do so. Having to continually renegotiate access to the prison to conduct research is something other academics have experienced (Wacquant, 2002; Schlosser, 2008) although over the weeks - and as staff began to recognise me - the suspicion eased. The Family Engagement Worker (FEW), as my prison escort, also played an instrumental role in response to these challenges, often clarifying who I was and attempting to ease my entry into the prison.

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<sup>75</sup> The gatehouse is the colloquial name given to entry area where visitors to the prison are subjected to security checks, for instance showing of ID and signing in. Staff members at the gatehouse do not tend to work within the prison, for instance on the wings or with the prisoners, and so they may not have had the same opportunity to learn about the research as those officers inside had.

<sup>76</sup> Audio-recorders are a prohibited item in prison and so although I had acquired additional approval and paperwork by the management in advance of the fieldwork start date to carry this with me; it often raised further concerns with security staff and delayed my entry into the prison.

In addition to this, the FEW also enabled other aspects of the research around the prison – with the mothers and officers alike - and was therefore a crucial gatekeeper and resource during my fieldwork. Gatekeepers are central in research projects, as they can assume an important role in either assisting or preventing the research being feasible on the ground (Noaks and Wincup, 2004). The former was true in my experience of liaising with the FEW, as she became involved in aspects of the recruitment, for instance; by mentioning the research to eligible mothers with whom she was familiar because of her casework; and in helping my movement around the prison to meet and discuss my research with different groups of women. I also believe the FEW was a useful gatekeeper because many of the mothers had worked with her previously and had therefore built a good level of rapport and trust which I was subsequently (and very fortunately) afforded.

However, it was also because of the FEW's involvement in the research that I took extra steps to ensure that participants were not coerced into the research, but had decided to take part voluntarily before they gave informed consent. I explain later how this was effective because some mothers exercised their agency and withdrew from the research. Another aspect that I managed because of my close association with the FEW was linked to my positioning and perceived identity when manoeuvring in the prison. King (2000) cautions that researchers need to strike the appropriate balance between being seen to side with either group in the prison – the staff or the prisoners. Therefore, being escorted around the prison and not carrying keys communicated some differentiation from being a member of staff, as did the very obvious bright red “visitor” lanyard hanging around my neck alongside my University of Bath identification.

Careful consideration was also given to the location of the one-to-one interviews with mothers in the busy and tightly controlled prison environment. It was imperative to be in a relaxed and quiet environment that provided privacy and comfort so that confidentiality could be maintained, whilst remaining safety conscious. A small meeting room that was located a short distance from the FEW's office, that had a glass panel in



the door and an alarm bell, was chosen as the most appropriate space to conduct all fifteen interviews. Permission was acquired to use this space and the FEW (as my prison escort) was aware of the interviews taking place and my whereabouts in the prison at all times.

On reflecting on this aspect of my fieldwork, I believe that allocating only one month to identify, recruit and interview the cohort of mothers was a little ambitious. Although I had learned a great deal about the prison regime from my placement, I underestimated the difficulties in negotiating suitable times to conduct the interview once the mother had consented to take part; as there were limited two-hour time slots available to meet around the mothers' compulsory engagement in the regime and lock-up. Interestingly the challenges I experienced in organising the interviews are similarly reflected in the mothers' narratives as they describe the difficulties in staying in contact with their families around the regime; for instance by not having sufficient opportunities to access telephones when they are unlocked (see chapters 3 and 7). This shows just how the regime is at the crux of all aspects of prison life and operations - controlling and steering everyone within it - and how my experiences were indicative of this environment.

Another reason I would be mindful of allocating more time during data collection is to better respond to the fatigue I experienced whilst conducting the research – which occurred both mentally and emotionally. Interviewing can be demanding on your sensibilities, your time and attention, and on your emotions when conducting sensitive research. Whilst the mothers were understandably emotional during points in the interview, I too was affected and distressed by the conversations, and was often upset both during, and after the interviews. This is something I partially prepared for following my placement - as I was already at ease with writing my emotions, thoughts and feelings into a fieldwork diary, and was strict about doing this after every day in the prison. However, in conducting the phase of the fieldwork in just one month, I was not fully prepared for the intensity and concentration of this emotional work in such a short timeframe, and therefore found it challenging to maintain the same level of

energy each day. Although I believe this had no bearing on the quality of the data produced, it had consequences for me personally which I hope to avoid in future research endeavours. In the next section I explore the recruitment strategies adopted to identify and recruit the caregiver cohort.

### ***Stage two; recruiting the cohort of caregivers***

My fieldwork with the caregiver cohort involved a flexible recruitment approach as several different avenues were explored, and drawn on, to identify eligible family members, including; national media platforms, voluntary sector organisations, the prison visitor's centre and the FEW's casework. This section therefore critically explores each of these strategies as I attempted to find and interview those individuals who were caring for children following their mother's imprisonment.

I first attempted to promote the research using different media platforms which would be accessed by family members and practitioners linked to the prison system at a national level. I published a short article in the prison newspaper "Inside Time" which is usually distributed across the prison estate and in the visitor's centres. I announced the research and put out a call for participants using Barnardo's I-HOP and Clinks "Light Lunch" which are accessed by organisations and practitioners working with prisoners' families who I considered to be well-placed to identify potential participants. I also made direct contact with voluntary organisations working with prisoners' family members in the community – and specifically those providing support groups. Condry (2007a; 2007b) and Codd (2002) had both identified and recruited family members using community support groups and so I expected that this may be a useful approach. However, one support group primarily worked with family members who had male relatives in prison and the other was collaborating with academics at another University. Thus, although these different outputs generated interest in the research, they did not identify any potential participants as intended. Alternatively, my experience suggests that meeting family members face-to-face in the visitor's centre was an effective recruitment strategy because the majority (n=13) of my caregiver sample was identified this way.

I negotiated access to two prison visitor's centres<sup>77</sup> using my NRC approval so that I could identify and approach family members who may be eligible for the research. The visitor's centres are usually where the family members go when they first arrive at the prison before a visit. It is set up like a waiting room – often with vending machines or a tuck shop, toilet facilities and sometimes a children's play area or toys. Prison visitors must sign in with the prison officers, leave their property in lockers and be searched before being allowed entry into the prison (HMIP, 2016). Having acquired information about the different prison's visitation days and times, I arranged to attend the visitor's centres to coincide with these dates; making myself known to the officer(s) on duty and showing them the relevant paperwork when needed<sup>78</sup>. As with gaining access to the prison during the first stage of my fieldwork, I also experienced some difficulties explaining my purpose and research intentions to officers at this second stage. Over time, however, their suspicion eased as they became more familiar with me, and my access was subsequently more straightforward.

After the family members had signed in, I approached them and introduced myself. I was very clear about being an independent researcher and always wore a lanyard with my University ID to communicate that I was there in a working capacity, and neither a visitor nor staff member. If the visitor's centre was busy, for example on a weekend, I first aimed to speak with family members with children with the assumption that they would be more likely to be visiting an imprisoned mother. On most occasions family members would talk openly about their lives and experiences of having a loved one in prison (and even when they were not eligible for the research). Even so, I remained emotionally intelligent by sensitively closing conversations and moving away from family members who were showing less interest or appeared uncomfortable talking with me. This unwillingness to engage may have happened for a number of different reasons, with Wood (2008) proposing that this reluctance is born out of prisoners'

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<sup>77</sup> Recruitment primarily took place at two prison visitor's centres; this is because the third prison initially selected had limited visiting times because there were fewer families visiting, making this less productive at identifying potential participants.

<sup>78</sup> This included proof of the research having been approved by the NRC and the Prison Governor at the respective establishment.

families' inherent distrust of anyone or anything that represents formal institutions or forms of control, meanwhile Loucks (2005) considered stigma to be a barrier to participation.

Knowing how stressful visiting could be for families from my placement, I tried not to over-burden them with information about the research or cause any distress by giving them unwanted attention. However, when family members appeared comfortable talking with me and were eligible, I would ask them if they were interested in taking part. If they agreed, I invited them to provide a contact telephone number along with times that may be convenient to talk so that I could follow-up at a more suitable time – specifically to reiterate information about the research and to organise the interview. On a few occasions I scheduled the interview with the caregiver at the visitors centre - although this was when the caregiver requested to be interviewed the following day or in that week.

It took 6 months to undertake this part of my fieldwork, and although it proved successful in the end, I appreciate that this method is both time and resource heavy, and requires a great deal of resilience as weeks went by without meeting any eligible or willing families. It was also effective to display posters about the research and distribute information leaflets on coffee tables and sideboards in the visitor's centres. These documents familiarised family members with the research even when I was not present and so many were aware of the research before I met them. I found this subsequently aided our interactions as they seemed to improve my credibility as a researcher. A further two carers contacted me after reading an information leaflet in the visitor's centre at their respective prison and opted into the study. The final two caregivers were identified by FEW's at my selected research sites from their case work at the prison. Following an agreed protocol with the NRC and individual prisons, the FEW's provided these family members with information leaflets about the research (see appendix E) and invited them to contact me directly to opt into the research.

When organising the interview with families, I was flexible and responsive to their needs and wishes, providing them with several options and having alternatives ready (Davies, 2000). Therefore, the interviews took place on different days of the week, including weekends, and were conducted at a time best suited for them, either during school-times or in the evening after work. In most instances, the carer's preferred to be interviewed in their own homes (n=11) as this was convenient with their daily lives. In one family, I interviewed a grandmother and family friend at the latter's work place as she had a private office available which they explained was more private and quiet than either of their homes.

As I was mostly interviewing in unfamiliar spaces this meant that practical issues had to be addressed on the spot, such as identifying a suitable position for the recorder to effectively pick up the conversation, and sensitively manage background noises and interruptions. This also included negotiating the interview around small children (all under 3 years old) as some carers did not have alternative childcare, meaning the children were present whilst we conducted the interview – often playing, sleeping or watching television as we talked. Although their presence did at times disrupt the flow of conversation and mean that sometimes issues had to be broached more sensitively, they did not appear to affect what was said or the quality of data collected.

A further two families were interviewed in the prison visitors centre where the mother in their family was being detained. On both occasions these interviews were organised to coincide with a family visit (see chapter 3) because the caregivers had some free time at the prison while the children were visiting one-to-one with their mother. At one location, the prison visitors centre had an office where the caregiver participant and I could conduct the interview in private. At the other site, the grandmother and great-grandmother and I were alone in the premises for the duration of the interview which removed any issues around confidentiality and privacy. In one family, the grandparents were interviewed at a fast-food restaurant a few miles from the prison where their daughter was being held. Although this meant there was considerable background noise, the grandmother selected this setting so they could have lunch

before visiting their daughter in prison – as they had travelled a considerable distance to visit her that afternoon. I had some concerns about the suitability of this environment initially, but it became apparent that they were familiar and relaxed in the space, and we sat at a table in the far corner in an attempt to remove issues surrounding privacy and confidentiality.

Although in most instances I had arranged the interviews with one family member, on arriving at the agreed location I often found that two adults – family members, partners and/or friends - were also present and willing to take part. Therefore both were offered a consent form and agreed to be interviewed together. The families explained how being together would allow them to cope with the emotionality of discussing their difficult experiences, and to provide further information and depth to our conversations. When this happened the first time, I was a little unsure how to respond or proceed, which led to an on-the-spot decision to jointly interview both family members. Being a novice researcher, I was not prepared for this kind of request, and on reflection, found this first joint interview particularly challenging for two reasons. Firstly, I continued to question whether agreeing to conduct a joint interview was the “right” way to respond, and secondly because I was not as well prepared for managing the interview with two participants; who often spoke at the same time, finished each other’s sentences, or sometimes had contradictorily opinions on the issues being discussed. Although I found this difficult to navigate initially, in hindsight, it is clear that this was the best way to proceed, as I ended up conducting joint interviews with family members and friends in nine of the caregiver cohort families. Furthermore, I realised during my analysis that this collective participation in the interview reflected the shared approach many families adopted in managing the mother’s absence.

I realise that interviewing two people will have altered the interview dynamics and changed *what* and *how* certain stories and experiences were told. It also made transcribing the interviews more challenging as sometimes the participants would talk at the same time and it was also common for them to finish each other sentences.

Nevertheless, I also believe this had many advantages as in a similar way to data collection in focus groups; the participants were also able to develop and build on points raised by the other person which generated rich accounts about their familial experiences (Kitzinger, 1994). The family members also appeared more relaxed and comfortable answering questions, which encouraged them to speak freely and openly about their experiences – and this proved to have been a rewarding and informative process for the caregivers, whilst producing valuable data.

However, despite my careful planning and on-going ethical awareness throughout the project, inevitably there were occasions when unexpected issues arose in the field which I documented in my fieldwork diary. For reasons of transparency and out of my commitment to reflexivity, some key reflections are shared in the following section.

### **The fieldwork diary; reflexivity and those unexpected ethical moments**

A fieldwork diary is a useful tool in qualitative research endeavours (Braun and Clarke, 2013) and although there are different ways to construct this - the essential components of the diary include “everything the fieldworker believes to be of importance” (Gray, 2004: 244). Therefore, after every day spent in the field or interviewing I would dedicate time to reflect on what I had seen, heard and observed and my reactions, thoughts and feelings about this. I found this consistent, detailed documentation was important for two reasons – first to aid reflexivity; to acknowledge the subtleties and subjectivities inherent underscoring the research by critically assessing the presence of me (the researcher) in the process (Charmaz, 2006; Jewkes, 2012); and second to record precarious and unexpected ethical moments during my fieldwork where I had made on-the-spot-decisions. These two aspects are explored in this section.

#### ***Reflexivity; the role of the researcher***

Diary notes provide intricate details that establish the researcher’s presence at different stages within the investigation – and this transparency allows the researcher to see their Self within the process (Heller *et al.*, 2011). Based on my re-reading of the

fieldwork diary, it is clear that one important and recurring theme may have shaped and altered my fieldwork experiences – the participants’ perception of me as a researcher. Significantly my identity as a white, mid-twenties female meant I had more interpersonal and intersubjective similarities with the cohort of mothers than with the cohort of carer’s which was made up primarily of grandparents and fathers. In turn, this meant that the rapport and relationships that I could establish with the participants varied across the cohorts and may have altered the data collection process – and so a brief discussion around these intricacies is justified in this section.

Firstly, the nature of my shared characteristics with the mothers may have influenced the data that was collected. This is because the mothers appeared to feel comfortable discussing age-related and gender-specific issues, such as abortions, bra shopping and the menstrual cycle - which I expect would be less likely to be discussed with a male researcher. However linked to this, many of the mothers incorrectly assumed that I had children, and therefore their narratives reflected this view; saying things like “*as you know with children...*” or “*us mothers know that...*”. Although it was not my intention to mislead the women, I was more intent on listening and prioritising their narratives, and therefore shared very little personal information – leading them to assume that my research topic of mothering was in some way related to my own maternal identity. I also think that these assumptions - albeit incorrect - may have been useful in providing insights into possible insecurities and guilt that the women had around being imprisoned mothers – and possible ‘bad mother’ feelings – which is a central theme that runs through the findings from this cohort (see chapter 5).

However the way in which the carer’s constructed my identity differed from the mothers, as I noted in my diary how they often referred to me as a “*student*” or “*young researcher lady*”. Braun and Clarke (2013) have proposed that avoiding the “expert” label can be beneficial during data collection because it allows the interviewee to take a more authoritative role and provide in-depth descriptions as they self-identify as the experienced party. I believe the families may have perceived me in ways which were most appropriate for them, and being a “student” was less intimidating. For instance, I



considered whether these perceptions (implicitly) surfaced because it reduced their own vulnerability. They were allowing me, an unfamiliar person (a stranger), not only into their personal space and their homes to conduct the interview, but into their lives whilst experiencing awful experiences of stigma and navigating multiple disadvantages since the mothers' imprisonment (see chapter 6). As we have seen, many family members came together to share their difficult stories so it is possible that thinking of me as a student, or as a novice, may have been less threatening as they talked about their family circumstances.

Of course I cannot accurately present how the participants had subjectively perceived me as the researcher. Yet themes identified in my diary extracts which sought to detail the face-to-face and interpersonal relationships provide some space and opportunity to reflect on these researcher-participant dynamics and consider how they may have shaped the data collection. Furthermore, the diary also provided an area to document and consider ethical moments that arose during fieldwork that had not been anticipated.

### ***Unexpected ethical moments***

Space in this chapter has already been dedicated to outlining ethical considerations *ahead* of my fieldwork, but as Ellis (2007: 4) explains; there are still occasions in social research when unanticipated ethical moments arise *during* fieldwork. She has named these "situational ethics" and explains how they can crop up at "unpredictable, often subtle, yet ethically important moments" (*ibid*) and it is these events that I discuss here.

The first ethical challenge that I had to navigate sensitively was the process of withdrawal, as in line with ethical guidelines, participants were clearly informed of their rights to withdraw from the research before and during the interview (Bryman, 2012). However, this process was more complex than I had imagined as although some individual's explicitly refused to take part during our initial conversation, many were less obvious about this. A number of potential participants (n=8) gave their verbal

consent to participate in the research but later withdrew; caregivers did not answer my follow-up telephone call whilst mothers did not show at the agreed interview time. In both scenarios I contacted the individual and left them a message as it was reasonable to expect there may be other reasons for not responding whilst also reiterating that participation was voluntary. This led to some participants returning and taking part, whereas others did not – and I felt this was an appropriate way to manage the precarious withdrawal process in the field.

However, this system was tested with one father whose wife was imprisoned and had become sole carer to his three children. On meeting him in the visitors centre, he had appeared keen to participate – providing his telephone number, engaging in two phone conversations and arranging to be interviewed at his home. When the agreed interview time came, he was not there. I tried to contact him via telephone and text message and decided to wait outside his home for an hour – again considering the possibility of other reasons for his absence – but eventually decided to leave so as to avoid undue intrusion or pressure on him to take part. Having never heard back from this participant, I have understood this absence as him exercising his agency to withdraw although I will never be fully sure what happened. Although I had driven over 300 miles to conduct this interview, I believe my decisions on that day were well judged and I effectively managed and responded to this particularly difficult ethical situation.

A second ethical moment occurred as I navigated the “grey area” (Martin, 2000:229) of confidentiality in the prison setting. Although most social research inquiries follow a policy of non-disclosure to ensure the confidentiality of the participants (Noaks and Wincup, 2004; Bryman 2012) more flexibility is required when conducting research in penal institutions as confidentiality can never be absolute (King, 2000); for instance when there are disclosures of harm, or breaches to the security and safety of the establishment. I was clear to the NRC and prison staff where the line of confidentiality would be drawn in accordance with Prison Service Instruction (PSI) 13 (NOMS, 2012) and identified the FEW as my point of contact regarding any disclosures or concerns that arose in the interview setting. Because of this, I carefully explained the parameters

of confidentiality to the mothers in both written documents and verbally before they agreed to participate.

However, during the interview one mother disclosed her intentions to self-harm and showed me her scars from previous cutting behaviour. In describing how she had been sexually assaulted before coming into prison, and later diagnosed with cancer during her sentence, this mother admitted that she was struggling to cope with her circumstances – but insisted she still wanted to take part in the research. I was in a difficult position as on the one hand she had disclosed her fears because she appeared to trust me. On the other hand her vulnerability and potential for self-harm meant I had to make a quick judgment and decision that appropriately responded to the situation. For this reason, I continued with a much shortened version of the interview as she wished, but gently revisited this topic during de-brief and when the audio recorder had been switched off. I raised my concerns and reminded the mother about the boundaries around confidentiality in the research and asked permission to communicate my concerns to the FEW, to which she fortunately agreed. I later made the difficult decision to remove this mother from the dataset because despite wanting to take part, her disclosure and narratives had changed the data collected which meant it focussed very little on mothering in prison.

Thirdly, having embarked on this fieldwork initially hoping to represent the voices of three groups of family members – the third comprised of young people (aged 15-18) with mothers in prison – it became evident that this may be too ambitious for the doctorate. For the family-centred approach adopted it would have been desirable to interview young people but given the difficulties in identifying and recruiting families, it was not possible within the timeframe and scope of this project to continue searching for eligible and willing young people. However towards the start of my fieldwork I was fortunate to interview one sixteen year old whose mother was serving a prison sentence. Although his narrative offers rich insights into the possible positionality and experiences of this group, it has subsequently been excluded from the findings presented in this thesis. Regrettably this was the most appropriate decision within the

context of this study, although it is hoped that this group will be included in future studies.

Despite the unanticipated challenges shared in this section, the fieldwork produced rich, in-depth data from both cohorts that is grounded in the lives and experiences of the family members and informed by their accounts of maternal imprisonment. Therefore in the next section, the demographics of the final sample of family members are introduced following a brief reflection on the data analysis process.

### **Analysis and sample demographics**

In preparing for analysis, I manually transcribed the audio data. During this process any identifying information about the participants, including their names, home addresses and children's names were removed and changed to ensure their privacy and anonymity. It is normally advised that transcription is undertaken as soon after the interview as possible (Noaks and Wincup, 2004; Braun and Clarke, 2013), and although this was possible with the cohort of caregivers where interviews were spread over 6 months, this was not achievable with the mothers. Interviews with the mothers were condensed to a month so several interviews were undertaken over the course of a week. Given that an hour interview can take anywhere between six and ten hours to transcribe (Noaks and Wincup, 2004), it was not possible to collect data and transcribe within this timeframe. Nevertheless, detailed written notes were taken within the interviews and immediately after in my fieldwork diary. These included a comprehensive description of the interviewee, their family tree (where necessary), my thoughts and feelings on the interview and how it went, as well as any interesting or poignant moments or reactions that stood out within the interview process or may be useful during the transcription and analysis. For example, noting whether the mother was tearful, and if so, at what point or in response to what questions or topics.

I recognise how transcription cannot be an 'accurate' depiction of the interview, rather a representation of what occurred and what was said, based on interpretations of this (Braun and Clarke, 2013). Yet, transcription improves familiarity and awareness of the

nuances of the interviews which can lead to the identification of emerging themes and key areas and is the first stage in thematic analysis (Noaks and Wincup, 2004; Braun and Clarke, 2013). Thematic analysis was chosen as this involves “discovering, interpreting and reporting patterns and clusters of meaning within the data” (Spencer *et al*, 2014: 271). This process uses a systematic approach to identify topics and themes in a hierarchical order and in relation to the research questions. One of the main strengths of this analytical method is that it provides flexibility, it can be bottom-up and data driven to develop an understanding about a phenomenon (Braun and Clarke, 2013).

However, thematic analysis has also been scrutinised in recent years for being a more generic method (Ryan and Bernard, 2000) that can lead to more descriptive accounts rather than interpretation because it is used so widely and can be adapted to almost any theoretical framework (Braun and Clarke, 2013: 180 for further discussions). Nonetheless, thematic analysis facilitates a recursive and iterative process that evolves through several phases to ensure a clear analytic vision of the data (Braun and Clarke, 2006). Firstly, familiarisation of the data occurred during the transcription and re-reading of the transcripts, and through this initial codes were generated, before more specific themes were identified. The analysis was undertaken manually and so index cards and mind-maps were used to sort, review and define themes that arose within the participants’ narratives and to identify patterns and contradictions. The cohorts were first analysed separately before broader themes were examined across the whole dataset, and to triangulate the data. Triangulation is important to corroborate the analytical interpretations and improve the validity of these by relying on different sources (King, 2000). Consequently, it was also relevant to judge my interview data against my placement observations to verify what had been gleaned, and confirm the accuracy of my findings.

In later chapters (5, 6 and 7) the narratives of the participants will be included in the form of passages or extracts from the transcribed document of their interviews. I have tried to remain as true to their voices and descriptions as possible so that their

perspectives can be shared. However because conversations and speech is messy and often non-linear, I have adapted these extracts so they flow within the context of the points being made. To indicate where changes have occurred the use of [...] shows when part of the dialogue has been removed, meanwhile any speech with brackets around them, such as [bracket], indicate where a word was added to ensure the sentence made sense.

### ***Demographics of the sample***

The final sample was made up of 30 families with the lived experience of maternal imprisonment, as comprised of two cohorts – 15 imprisoned mothers and 15 carers and families looking after a female prisoner's child. There were three eligibility criteria set for the research and these are briefly described below:

1. *The mother had to be convicted* - this criterion was chosen because my placement suggested there were differences between the experiences of families with a member on remand, to those having been convicted. Whilst on remand, families had increased uncertainty about their family circumstances and childcare responsibilities whilst waiting for the court hearing. Although future research would be well placed to investigate this precarious remand situation, in this study I was interested to learn how families experienced the court process and had re-organised their lives during the sentence.
2. *Two months of the mothers' sentence had to have elapsed at the time of interview* – placing boundaries on the time since the incarceration was important because the research aimed to interview family members and mothers who had been in contact with the prison for enough time to reflect on their experiences of navigating the prison processes, and negotiating their changed familial circumstances<sup>79</sup>.

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<sup>79</sup> One carer was interviewed six weeks after his wife was imprisoned. This exception was allowed because his wife had received a four month sentence and so it was anticipated that she would be released after two months on Home Detention Curfew (HDC). HDC or "tag" as it is more commonly known is a scheme that allows prisoners serving sentences under 4 years to be released from prison

3. *At least one of the mothers' children had to be under 18 years old* – although I appreciate that motherhood does not stop once a child reaches adulthood at 18 years, for the purpose of this study I aimed to explore the experiences of families who were adapting their lives to look after dependents. The threshold for legal parental responsibility of dependants is generally 18 years old.

The first cohort consisted of fifteen mothers who were expecting to spend up to two years in prison. Mothers with a sentence length of 4 years or less were eligible to participate; as in most instances - and subject to approval - a prisoner will serve half their sentence in prison and the remaining half in the community on a Home Detention Curfew (HDC) (HM Prison Service, 2013). Table 3 shows the demographics of the cohort of mothers, indicating that most (n=8) were aged between 25-30 years and identified as white British. On average the mothers had two children each, although one mother had a larger family of seven children. The mothers had 39 children between them, of which 33 were under 18 years old. The age range of the children in the mother's cohort was varied, with the youngest child being 1 year old and the eldest 29 years old.

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early – normally around half way through their sentence. These prisoners are subjected to electronically monitored curfew. Not all prisoners are eligible; HDC is a privilege. For more information see Prison Service Order (PSO) 6300 (NOMS, 2012)

Table 3: Cohort of mothers; their demographics and childcare arrangements

Name <sup>80</sup>	Age	Ethnicity	No. of children	Children's ages (years)	Cared for before <sup>81</sup> prison sentence	Cared for during prison sentence
Eve	38	White British	2	13, 19	Eve	Eldest Daughter & maternal kin
Sarah	28	White British	4	3, 4, 7, 11	Maternal Grandmother	Maternal Grandmother
Esther	30	White British	2	7, 10	Esther	Maternal Grandmother
Becca	27	White British	1	3	Maternal Grandmother	Maternal Grandmother
Verity	26	White British	2	7, 9	Social care	Social care
Leanne	29	White British	2	1, 8	Leanne	Maternal female kin & Social care
Kathleen	47	White British	2	14, 15	Kathleen & Husband	Father
Carly	27	White British	2	4, 12	Maternal kin & adopted	Maternal female kin & adopted
Stephanie	44	English	7	7,13, 16, 16, 19, 21, 23	Stephanie & Maternal kin	Maternal Grandmother & female kin
Kelly	43	Romany gypsy	4	9, 12, 16, 27	Kelly & Husband	Eldest son & maternal Grandmother
Keira	26	British	1	5	Keira	Maternal Grandparents
Kayley	29	White British	1	5	Kayley	Social care
Betty	46	White British	3	11, 13, 15	Betty	Father
Vanessa	46	White British	3	11, 15, 29	Vanessa	Eldest Daughter
Rochelle	32	White British	3	7, 10, 14	Ex-husband	Father

<sup>80</sup> All names in this thesis are pseudonyms.

<sup>81</sup> This includes the timeframe up until the mother was separated from her children, either at arrest, remand, or when convicted for her crime.



The mothers were not asked to disclose the nature of their criminal offence at any stage in the interview<sup>82</sup>. Nevertheless, many offered this information feeling it was important in their stories and so I know that their offences varied from perverting the course of justice and burglary, to drug-related crimes, fraud and Grievous Bodily Harm (GBH). They were serving sentences ranging from 18 months to 4 years, which is higher than the national average which suggested that 61% of women entering prison in 2015 were serving a sentence of 6 months or less (MoJ, 2016e). Most of the mothers (n=11) were in prison for their first offence, with a total of 16 prior sentences served by the four women who had received previous custodial sentences.

The second cohort in the sample was made up of a further fifteen families who were not related to the first cohort of imprisoned mothers. The decision to recruit two groups of unrelated family members, was to ensure the focus of the research remained on the familial experience of maternal imprisonment, rather than comparing within-family narratives and dynamics. At least one member identified as the main caregiver to a child under 18 years whose mother was in prison. For the purpose of this research, the caregiver is defined as the family member who lived with the child, and assumed the majority of the childcare responsibilities. In total, twenty-four family members and family friends were interviewed; as nine interviews were conducted with two adults, and six interviews undertaken with one caregiver. Table 4 illustrates the demographics of the caregiver sample, and shows how over half (n = 13) caregivers were aged over 50 because in most families it was the grandparents who were looking after the children. The caregivers were looking after 31<sup>83</sup> children in total, of which thirty were under 18 years old. The children's ages varied considerably, ranging from 7 months to

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<sup>82</sup> The decision not to ask was made following my prison placement as I found that asking this question up-front could hamper the building of rapport and trust as it reinforced the power imbalances. Instead, I told participants explicitly at the start of the interview that I would not ask about the offence, but that they were free to share the information if they wished. Given the research's aims, it was much more important to me to learn about their thoughts, feelings and experiences of their familial circumstances, than to learn of their crime.

<sup>83</sup> This includes two children who resided with the mother in prison on the Mother and Baby Units (MBU) as although the mother remained the primary caregiver, the caregivers frequently looked after these children in the community.

18 years, although the majority (n = 20) were primary school aged (between 3 and 10 years old).

The mother in the carer's families were serving sentences that ranged from 4 months to 15 years for reasons of theft and fraud as well as more violent offences, such as manslaughter and GBH. As with the mothers, the carers were not asked explicitly about the mother's offence but this was shared in nearly all the interviews as they talked about their experiences. Nearly all (n=14) the imprisoned mothers in the caregivers families were serving their first prison sentence. One explanation for this could be that families are more willing to sustain contact with a mother on her first sentence – considering most (n=13) were recruited in the visitor's centre – whereas over time and with multiple sentences, these familial relationships become more strained and contact may dwindle (this is discussed further in the empirical chapters and discussion).

Table 4: Cohort of caregivers; their demographics and childcare arrangements

Name(s)	Relationship to children	Age	Ethnicity	Other carers at interview	No. of children	Children's ages (years)
Shelia	Maternal Grandmother	56	White British	-	1	6
Pita	Father	38	Indian national	-	1	12
Miriam	Maternal Grandmother	44	White British	Maternal Great-Grandmother	3	2, 4, 6
Lucy & Kristen <sup>84</sup>	Maternal Grandmother & 2nd Cousin	51, 33	White British	-	2	11 months, 3
Daniel	Father	42	White British	-	4	9, 10, 17, 18
Martha & Malcolm	Maternal Grandparents	42, -	British	-	1	5
Ava	Maternal Grandmother	41	White African	Maternal Great-Grandmother	2	1, 3
Shannon	Maternal Grandmother	53	White British	-	4	6 months, 8, 9, 10
Annette	Maternal Grandmother	47	White British	Maternal Grandfather (Martin)	1	6
Claudia	Maternal Grandmother	51	British	Claudia's friend (Emily)	1	9
Janice	Maternal Grandmother	53	White British	Mother's friend (Lorraine)	2	10 months, 6
Kevin	Father	39	-	-	5	7 months, 7, 8, 13, 15
Rebecca	Maternal Grandmother	44	White British	-	1	2
Terry & Jasmine	Maternal Grandparents	59, 67	British	-	1	3
Derek & Madeline	Maternal Grandparents	65, 69	White British	-	2	4, 10

<sup>84</sup> The children were living in separate households; one with Lucy and one with Kristen.

Across the whole sample the majority of mothers had played a principal caregiving role before their imprisonment (n=10 in mothers cohort and n=11 in caregiver cohort), which supports previous research (Caddle and Crisp, 1997). Tables 3 and 4 show how grandparents had assumed most of the caregiving responsibilities after the mothers incarceration (n=17), which also aligns with existing research (*ibid*). It is also interesting to note that all the grandparents and relatives assuming care for the children across the sample were maternal kin. Codd (2007, 2008) has argued that caregiving and support for prisoners and their children falls to female relatives in the family and the findings here not only support this, but indicate that during a mother's imprisonment it is maternal kin who take on these responsibilities.

One explanation for maternal kin and grandparents assuming this care is because of the absence of the children's fathers in at least twelve of the families in the overall sample. Although there is some missing data concerning the children's fathers, and in some families there were multiple fathers and step-fathers, there was an overriding sense that fathers were not present. A considerable number of fathers had been absent in their children's lives or had infrequent contact with them before the mother's imprisonment and for the most part nothing changed when the mother was detained. One carer (Martha) discussed the welcomed support and attentiveness of their grandson's father, who despite living in a different household, was heavily involved in daily practices, such as the school run following the mother's imprisonment. Aside from this, the mothers and carers reported having little practical or financial input from the children's dads.

In six families this absence was likely because the children's fathers were also in prison. Five of these dads had received a custodial sentence at the same time as the mother, for the same or similar offence. In many cases, the grandparents and maternal relatives who had assumed care for these children were also trying to sustain and manage father-child relationships at a male prison establishment. In a few interviews, the carer's talked about their experiences of prison processes at male establishments, though for the most part they were concerned with maintaining meaningful contact

with the mother. One explanation for this could be because they were all maternal kin and were motivated to support and foster relationships with the mother as a member of their family of origin, and as their own daughters (this is discussed further in chapter 6).

Nevertheless, in six families across the whole sample the children were looked after by the children's father (and/or step-father) during the mother's prison sentence. This is a larger proportion than found in previous research, which suggested only 10 per cent of children were looked after by their fathers (Caddle and Crisp, 1997). In five of these families the father had been caring for the children before the mother's imprisonment, in most cases jointly with the mother (n=4) and in one instance, as a lone parent (n=1). In the remaining family, the father was married to the mother and visited the children every weekend but was living in a different household and county for work reasons. Therefore, it would appear that fathers are more likely to care for their children during maternal imprisonment when they had already been actively involved in caregiving prior to the mother's sentence.

Many mothers across the sample had been faced with deeply troubling experiences before their imprisonment. The interviews revealed that many (n=18) had endured at least one of the following; poor mental health, substance abuse, poverty, physical and sexual abuse. These findings chime with previous commentaries on the lives and experiences of women in the prison system in England and Wales (Corston, 2007; Williams *et al*, 2012; Light *et al*, 2013; Prison Reform Trust (PRT), 2016; see chapter 2). In most instances, these disadvantages were factors that contributed to and/or were in some way related to the mothers' law-breaking behaviour, and therefore provide some nuanced insights into the context of the mothers' lives prior to their incarceration. Yet, despite being related to their offences, these issues were only found to have negatively influenced the mothers' family lives and mothering responsibilities for five women in the cohort of mothers (see chapter 5 for more information). This is because these mothers described how having severe drug addictions and multiple prison sentences leading up to their current sentence had significantly disrupted and negatively affected

their caregiving role and family relationships. Whereas in the other families this dislocation of family relationships and reduced maternal caregiving role was not considered to have occurred until after the mothers were imprisoned.

### ***Reflecting on the research process***

On reflection, I have learned some valuable lessons about researching maternal imprisonment and have identified a few areas which I would approach differently in the future. Firstly, it was clear that the prison visitors centre was the most effective site for identifying and recruiting family members who are attempting to sustain mother-child contact. In future studies, I would prioritise this strategy and spend less time and resources promoting the research through online media platforms and through community support groups when examining these relationships during maternal imprisonment. Secondly, I recognise the value in interviewing participants on multiple occasions as this generates rich, thick description (Van Manen, 1990) as opposed to a snap-shot insight into the interviewees' lives and experiences. Perhaps in designing future studies, building in time and resources for longitudinal research would be worthwhile and could enhance the quality of the data collected and potentially explore the families' experiences post-release. Finally, I have learned how withdrawing from the research can be both an ambiguous and sensitive matter for potential participants that requires the researcher's constant awareness and flexibility. Drawing on this, I would include more information about withdrawal in the information given to potential participants (in documents and verbally) to ensure this was effectively managed and communicated from the offset.

### **Summary**

This chapter provided an overview of the theoretical, ethical and methodological considerations that underscored this thesis. It outlined the research approach and the various stages in the fieldwork endeavours, including the process of gaining access and recruiting as well as the collection of the data, before describing the data analysis and introducing the final sample. It is apparent that an in-depth study of family life during maternal imprisonment results in very particular ethical and practical challenges, and

so the chapter has provided a critical evaluation of the dilemmas that were encountered in the research process. I turn attention to the first empirical chapter next, which privileges the voice and experience of the cohort of imprisoned mothers.

## Chapter 5 - Mothering in prison

In this chapter the accounts of the fifteen women who make up the cohort of mothers serving a prison sentence in England are explored. In the interviews the mothers were asked to describe family life before coming into prison – their living arrangements, childcare arrangements, relationships and daily routines and practices – before asking them to discuss these since being received into prison custody. The mothers' views and the meanings they attached to their family lives and practices are examined. Meanwhile, their experiences of sustaining contact with their children and families and their identity and status as imprisoned mothers are also revealed. These findings pave the way for a critical analysis of the available prison processes, as the mothers' accounts point toward the importance of these provisions in facilitating family contact and an engagement in mothering practices in prison (see chapter 7).

### Introducing the cohort of mothers

It is important to first introduce the cohort because despite their shared status as imprisoned mothers, their narratives indicated core differences in their trajectories into prison and correspondingly, their mothering experiences. Specifically, the analysis revealed how their differing family circumstances *before* entering prison was a key factor in shaping how they interpreted their status and identity as mothers *in prison*. This led to the cohort being divided into two smaller groups; namely the disconnected group and the rebuilding group.

- ***The disconnected group of mothers*** consisted of ten mothers who had all played an active and daily role in their children's lives prior to their imprisonment and were serving their first custodial sentence. Being separated from their children for the first time led these mothers to feel increasingly disconnected from their former mothering role and identity.
- ***The rebuilding group of mothers*** comprises of the remaining five mothers who reported having distanced relationships with their children and families. They



had occupied a less prominent caregiving role for many years leading up to their current sentence, and acknowledged how their previous convictions and substance misuse had contributed to this dislocation. However, the mothers in the rebuilding group illustrated genuine attempts to re-establish their familial relationships and move towards their motherhood status.

Given the distinction in the positionality of these two groups of mothers coming into prison, their accounts of mothering in prison raised different issues and challenges. For the mothers serving their first sentence in the disconnected group, being in prison was unfamiliar and so they had to adapt their maternal identity, role and family relationships to respond to this. Whereas the rebuilding group of mothers were more familiar with the prison setting, having served prior sentences, but had more fractured relationships with their children and families, which they were attempting to manage.

However, despite understanding the data through the allocation of two groups in this chapter, it is important to note that the mothers within these groups are not static – and they have the potential to move and change depending on time and experience. As such, it is likely that the rebuilding mothers will have shared many of the experiences identified in the narratives of the mothers in the disconnected group in the past, and most probably during their first prison sentence. This also suggests that the disconnected mothers are vulnerable to experiencing a decline in their family relationships, resulting in them being in a similar position to the rebuilding mothers in the future – and especially if they return to prison. Being mindful of the fluidity of these trajectories and potential for commonalities in the mothers' experiences is important as we consider what may unfold over time. It is also appropriate to remain attentive to the prison setting and its role in facilitating and fostering adequate opportunities for mothering and family contact.

The first half of this chapter focuses on the themes that were identified in the narratives of the disconnected group, before the latter half examines the themes that arose from the accounts of the mothers in the rebuilding group.

## The Disconnected Group

Ten mothers have been grouped together because they had strong relationships, and frequent contact, with their children before their arrest and subsequent contact with Criminal Justice System (CJS). Eight of these mothers had lived with their children and been primary caregivers; six of whom were sole carers. The remaining two mothers who did not live in the same household as their children reported having frequent, often daily contact with them and similarly reported having a principal caretaking role. Being in prison for the first time left these mothers feeling disconnected from their former mothering role and practices. In particular, they indicated a deconstruction to their maternal status and struggled to self-identify as 'good mothers'. To demonstrate this, the following two themes are explored in this section:

- **Doing mothering** – this first theme examines the challenges of *doing* mothering and 'family practices' in prison for both the mothers, and the children and families.
- **Being 'bad mothers'; guilt and internalised stigma** – building on the inferences above, this second theme considers how the disconnected mothers' reduced capacity to engage in mothering practices affected their self-identification as 'good mothers'. Through their accounts of feeling guilt, these mothers demonstrated the internalisation of stigma, similar to Goffman's (1963) "spoiled identity" and experienced a significant deconstruction to their maternal identity.

## Doing mothering

Having gone from being principal caretakers of their children, these mothers were removed from their children into prison post-sentencing, and forced to navigate their new surroundings and positionality with little opportunity to perform their mothering role. They described how being in prison interfered with their ability to be 'there' and support their children day to day, and to engage in 'family practices'. The mothers talked about missing important milestones in their children lives, and the challenges

facing their children and families as they grappled with the upheavals and disruptions their absence had caused.

***Family practices; being there day to day***

A key feature of ‘family practices’ is that it emphasises the importance of everyday activities and the family member’s regular engagement in family life (Morgan, 1996, 1999, 2011; see also chapter 3). However, the disconnected mothers recognised how being in prison meant they were unable to engage in these daily routines and were therefore missing ordinary experiences in their children’s lives. This supports research from the US which found that being unable to do mothering on a daily basis was a considerable challenge for imprisoned mothers (Berry & Eigengberg, 2003; Celinksa and Siegal, 2010; Friestad, 2016). For Eve, this caused her to feel isolated and disconnected from her maternal role as she described how her imprisonment meant she could no longer cook her children a meal or reprimand them.

*“Being in here [I’m] sort of isolated from their everyday issues; not being able to see them when they’re happy, sad and to celebrate, or maybe when they’re down and they’re angry, not being able to help them. Just kind of the issues that you would think, like not being able to cook them a meal, not being able to tell them off when they’ve been naughty - all of those things I’ve taken for granted and now I miss all of those things” (Eve)*

For Keira, this disconnectedness was experienced because she no longer felt knowledgeable or involved in her daughter’s daily life and practices.

*“I don’t know stuff; I couldn’t, because I’m not with my daughter day to day” (Keira)*

In a similar way, Kayley explains how being in prison had distanced her from her five year old daughter as she could not continue being present everyday despite having previously been her sole caregiver.

*“I am finding it hard being in prison, ‘cause you’re away from your children, you’re not there [...] it’s always been ‘Mummy, Mummy, Mummy’ and since being in prison, it’s been different ‘cause I’m not there” (Kayley)*

Another feature of ‘family practices’ focuses on the active and on the “doing” of certain roles (Morgan, 2011) and specifically, a mothering role is widely thought to include being protective and nurturing towards children and providing support to them (Baldwin, 2015). However, and as we have seen from Kayley above, the mothers did not feel as though they could be ‘there’ for their children – as being in prison prevented them from performing this aspect of their maternal role. Kelly similarly describes how she found it difficult in prison because she did not feel able to be ‘there’ for her four children – both in a physical and practical sense – or provide them with adequate support in their lives.

*“[It’s] not having any way of helping them when they are still asking you for help with things and not being able to help [...] I can’t be there for them. Do you know what I mean? That’s really difficult” (Kelly)*

Stephanie had a large family of seven children, with her youngest being 7 years old and eldest 23 years old. Although some of her children lived independently or with other family members before she came into prison, she was concerned that being in prison meant she could not be ‘there’ when her children were upset or arguing with one another.

*“[It’s] not to be there if they’re upset, not to be there if something’s gone wrong like sibling rivalry with my kids, because I’m not there” (Stephanie)*

In a slightly different way, the geographical distance of being held at an English prison over 150 miles away from her family home in Wales was the reason Vanessa felt disconnected from her children. As chapters 2 and 3 suggested, many of the mothers in

the cohort were held a considerable distance from their children which affected the frequency of mother-child contact, as for instance, they described how travelling such distances was stressful and costly for their relatives. Therefore, Vanessa felt that her absence was preventing her from doing mothering because she was literally too far away and unable to do anything about it as a prisoner.

*"It's been hard, hard for them, because I'm like a million miles away and there's nothing I can do"* **(Vanessa)**

Although 'family practices' are not restricted to the home (Morgan 1999), these narratives show the difficulties facing mothers as they attempt to readjust their role and relationships with their children because they no longer occupied the same physical or geographical space. Prison processes, such as visits and telephone calls, if implemented effectively could help mothers to remain somewhat engaged in their children's lives and mothering role from prison. However, the mothers' narratives revealed how these provisions were not adequately facilitating meaningful mother-child contact or providing alternative ways of being 'there' and actively involved from prison. As Kelly explains, despite having telephone contact and visits, she still did not feel she could be 'there' for her children.

*"I know I can speak to them on the phone and I can speak to them on the visit but I can't be there for them"* **(Kelly)**

Esther's account illustrates how these processes do not allow her to feel connected and part of her family as she describes the effects of being absent.

*"You're not part of it [family life] at the end of the phone or on a visit every couple of weeks you're not seeing it, you're not there for it"*  
**(Esther)**

Esther has hinted at how these problems with the prison processes was because of the infrequency of contact, and similarly Betty explains how it is a daily challenge to remain in contact with her children from prison.

*“The main challenge as a Mum is to day in, day out keep communication” (Betty)*

Although a later chapter explores prison processes in more depth (see chapter 7), these insights suggest that the prison environment is not operating in a way that prioritises or accommodates a mothering role or ‘family practices’. Nevertheless, having some contact – albeit a limited amount – allows the mothers to ‘display’ a willingness to remain in touch and communicate their commitment to motherhood to members in their family. ‘Display’ is conceptualised by Finch (2007) as a mechanism to effectively communicate the nature of familial relationships and practices. As Esther explains, staying focussed on sustaining contact however possible is the most important thing she can do as a mother.

*“I think the biggest thing you can do is just keep in contact with them” (Esther)*

The nature of the punishment accompanying a prison sentence brings about a loss of liberty through a forced separation from others following their removal from society (Ward and Kassebaun, 1965; see chapter 2). However, we have seen, for these mothers how the custodial sentence brought about an additional loss to their social role and responsibilities *as mothers*. This process may be better understood as “role dispossession” as conceptualised by Goffman (1961: 11) in his theory of ‘total institutions’, as he explains how the previous social identities of the prisoner – and in this case motherhood - are removed on entry to the establishment (see chapter 2). The overall impression is that because of the principal caregiving role these mothers had previously undertaken before their first sentence; the repercussions of this separation and breakdown in their maternal role were far-reaching and damaging for them, and for their children and families.

### ***Missing milestones***

Given that the mothers were serving up to 2 years in prison (see chapter 4) they were concerned about the impact of a prolonged separation. Specifically, the mothers talked about missing key events and stages in the children’s growth and development. It was

particularly upsetting for many of the mothers when they recalled specific times and important developments, which they had already missed, or were expecting to be absent from in the future. Leanne's youngest son was only 9 months old when she was taken away from him and remanded into prison custody. After some negotiations within her family and with social services, it was decided that her sister would look after him during her sentence. However, Leanne was incredibly anxious about how this prolonged separation may affect her bond with him. She was also worried that her bond may be replaced with a bond with her sister, and talked about how being in prison meant she had missed key developments in his early life.

*"I just can't wait to get my bond back with him, you know? I missed his first words, his first steps; he probably thinks that my sister is his Mum now" (Leanne)*

In a similar way, Esther reflects on the developments that were happening whilst she was in prison as her two primary school aged children appeared to be changing every time she saw or talked to them.

*"They're growing up so quickly and things are changing and you think you know everything about them but they're coming up and they're looking a little bit different and they sound different" (Esther)*

Kathleen also discusses how being in prison meant that she was missing core developments in her teenagers' lives. Young people experience some significant changes in their adolescent years, and Kathleen explained how she was not there for her daughter as she went to buy her first bra.

*"I'll tell you what is really silly; my husband's sister took my daughter bra shopping because she needed a new bra that upset me because I wasn't there for her" (Kathleen)*

Interestingly, the mothers' accounts of missing milestones were seen as important regardless of their children's age and relative life stage. Yet, previous literature and

policy discourse has highlighted the particular challenges of mothers with small children or a baby in sustaining a relationship from prison (see Epstein, 2012; Cameron, 2016). These sentiments are also found in the prison guidelines around Mother and Baby Units (MBUs; see chapter 3). On the contrary, the mothers' conceptualisations above indicate how motherhood involves a continued commitment and engagement with children of all ages, whilst also showing how a mothers' imprisonment can be disruptive at any point in a child's life. This further suggests that prison sentence is experienced more acutely for mothers, because the penal punishment restricts and prevents participation in particular, and sometimes very special and unique moments within their maternal lives.

In considering upcoming milestones and events in their children's lives, the mothers were further concerned about the impact of missing time in the future. Potentially being absent in the event of an emergency or her children's sickness was a constant worry for Betty.

*"My worst fear in here is that something will happen to the children while I'm in here 'cause talking to different people there are so many awful stories about people losing family and what have you, and not being allowed to go to the funerals and stuff like that and obviously if one of my children ends up in hospital, I wouldn't be allowed to go and visit and see how they are, be there and worry there, you're just stuck here" (Betty)*

For Kathleen and Leanne, their concerns about the future were premised on being able to celebrate their children's birthdays. Being present and able to participate in these milestones was perceived to be an important part of their mothering role and identity, and their accounts illustrate their motivation to be out of prison – either on Home Detention Curfew (HDC)<sup>85</sup> or Release on Temporary Licence (ROTL)<sup>86</sup> - for this event.

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<sup>85</sup> "The Home Detention Curfew (HDC) or "tag" as it is more commonly known is a scheme that allows some prisoners to be released from prison early and to serve the remainder of their sentence in the community under probation – see chapter 4 for more information.



This links to Finch's (2007) conception of 'display', which is the process of conveying to others – including family members – that certain relationships are 'family relationships' (see chapter 3 for more information). At times, the intensity of need to 'display' these familial interactions may be increased, which for these mothers included being there for their children on their birthdays.

*"My daughter's distressed because it's her 16<sup>th</sup> birthday next year and she wants me home for her 16<sup>th</sup> but I should have Release on Temporary Licence [ROTL] so I should be able to arrange it round her birthday so I can be out for then" (Kathleen)*

For Leanne, it was evident that being present for her oldest son's birthday was especially important as this would communicate or 'display' to him that she cared. It also seemed meaningful to her so that she could self-identify as a 'good mother', as it was an activity she had always participated in before her imprisonment and recognised as an essential part of her mothering role.

*"I've never missed any of oldest son's birthdays. Every birthday we did something amazing, like he got spoilt, he had everything you know, and I missed this one and all he got was a phone call of a happy birthday and that's the sort of behaviour you get from a Mum that don't care about her kids. And I do. So I really, really want to be out on HDC on the next birthday, so I can be there, even if I just take him to a water park for the day or something, at least I've done something" (Leanne)*

The mothers' hopes of 'displaying' their mothering role outside of the prison are likely to be in response to the limited mechanisms for 'displaying' their maternal status within the confines of prison. One of the only ways that the mothers could 'display'

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<sup>86</sup> Release on Temporary Licence (ROTL) is the mechanism that allows prisoners to leave the prison establishment for short time periods so that they can participate in necessary activities which are deemed to help them resettle into the community during their prison sentence (Prison Service Order (PSO) 6300, National Offender Management Service (NOMS) 2012).

motherhood was by hanging photographs of their children and families, as well as cards or pictures made by their children in their cells. Stephanie explains how her cell is full of these items, which means that anyone who may have access to this space, including me when I met with her, as well as other prisoners and prison staff can clearly see that she is a mother.

*“They send me cards, pictures [...] I get letters from them. If you come to my room, oh you’ve seen my room [Interviewer – yes] my room can be full of photos and things” (Stephanie)*

This suggests that despite being confined, a large part of Stephanie’s life and identity remained focussed on her children, and presenting herself as a ‘good mother’. Another of the mothers, Betty, brought along photographs of her children to the interview. When I had asked her to describe her family life, she used these images to ‘display’ and communicate her close relationship with her children by inviting me to look at the photographs depicting her ‘close family’.

*“We were very much a unit, we spent a lot of time together, go out and do things together, shared a lot of interests, cameras, photography as you can see [points at the pictures she brought with her] we were a very, very close family” (Betty)*

Even though being imprisoned removed a substantial part of their mothering role, these opportunities for ‘display’ were clearly important to the mothers. A later chapter discusses in more detail how sustaining contact was an essential medium through which the mothers could ‘display’ their commitment to their mothering role, and relationships with their children and families (see chapter 7).

As previous chapters have discussed (see chapter 2 and 3), the literature has commented on the ways in which a ‘bad mother’ identity is ascribed to mothers in prison as a result of their seemingly ‘doubly deviant’ transgressions in society – firstly as a result of their law-breaking behaviour as a citizen; and secondly in regards to the

undermining of gendered expectations placed on them as mothers (Carlen and Worrall, 2004; Teather *et al*, 1997; Corston, 2007; see chapter 2 for further discussions). Given these accounts have illustrated a particularly challenging environment in which these women were attempting to *do* their mothering role, it is possible that their imprisonment was correspondingly being experienced as a double punishment – not only removing their freedom and autonomy as prisoners, but also as mothers.

### ***Being absent***

Having been principal caregivers before coming into prison, childcare and domestic responsibilities had constituted a large part of the mothers' social role and daily lives. We have seen how the custodial sentence had affected their ability to do mothering on a daily basis and with regards to missing milestones. Yet in addition to this, the mothers acknowledged how the problems arising from their imprisonment were similarly challenging their children and families; as their absence also affected their relatives' daily lives, practices and routines. Having been immediately removed into custody, family members had assumed responsibility for their children. Many had not anticipated the custodial sentence (see chapter 6) and were attempting to respond to practical and emotional changes with little experience, time or resources. Betty explains how this transpired in her family - explaining how her husband became sole carer to their three children following her arrest, despite having lived in a different household and county to them for several years. She describes how he was left to organise many things, including a suitable home for them to live in and new schools as they relocated, and how this meant they lived in a Travelodge temporarily.

*"[My husband's] had to, in 2 weeks find them schools, find them somewhere to live, uniforms, all the rest of it, he had to sort out so many things, and [...] he was left alone with 3 children in a Travelodge with me in prison!" (Betty)*

Vanessa was the sole caregiver to her younger two children, and so her removal to prison meant that her eldest daughter (aged 29) assumed her maternal responsibilities.

We can see how she feels guilty about the additional pressure this has put on her eldest, having forced her to adopt a mothering role.

*“We’ve all had to totally rely on my eldest daughter, which is unfair, but because she’s so good, so clever and that, I know everything will be alright but I think it’s been really hard on her but if it weren’t for her, her brother and sister would be in care [...] I don’t think it’s been very fair of me, I’ve dumped her into motherhood” (Vanessa)*

As with Vanessa, many of the mothers appreciated how the caregivers had to renegotiate many aspects of their daily lives to accommodate these changes (see chapter 6 for further insights into the experiences of caregiving relatives). The nature and scope of these changes did vary, however between mothers, as they were reflective of the personal circumstances and the characteristics of their families. For instance, Esther describes how her 50 year old mother looked after for her two primary school aged children, and that this had meant her whole life and routine was disrupted and re-orientated to focus on the children and their needs.

*“I think it’s just the responsibility of having two kids, especially as she’s in her 50’s as well [...] it’s just her routine, she can’t just get up and do what she wants [...] so every aspect, every part of her life is revolving around the kids now” (Esther)*

For Kathleen, as breadwinner in the family prior to her conviction, the main change for her husband as the sole caregiver to their two children was that he was forced to quickly find work in order to support their family financially. She acknowledged how this had placed a lot of pressure on him and caused him immense stress. Consequently she considers how the impact of her sentence had been much worse for her husband and children.

*“My husband didn’t work but obviously he’s had to find part time work so he can support the kids [...] he’s really anxious, he’s really stressed*

*and he can't cope with it all [...] I used to do everything, literally everything [...] it has an effect on them because they've got less money, they haven't got their Mum around, the way they have their life, my husband is finding it difficult so I think it is worse for them than it is for me, most definitely" (Kathleen)*

Eve's 19 year old daughter had assumed care for her 13 year old son as well as her other household responsibilities; such as paying bills and running the home. However, as the extract below indicates, Eve felt guilty for leaving her daughter with this role as she struggled to deal with these responsibilities, and especially given her relatively young age.

*"My daughter does struggle, I call her sometimes and she's crying 'Mum I've got bills, what am I gonna do?' and you know, I struggle with that because she shouldn't have to deal with that, she's 19 [...] it's a lot for her to take on" (Eve)*

Considering the extent of the disruptions and readjustments, which the children and families had to negotiate in the mothers' absence, Keira and Stephanie considered how their family members were also serving the sentence.

*"[I] feel like they're in prison as well even though there are no bars around them" (Keira)*

*"It's not just us that are doing the sentence, they're doing the sentence" (Stephanie)*

These findings indicate support for the argument that maternal imprisonment is experienced as a 'family sentence' – as the custodial sentence not only punished the mother, as the convicted individual, but as we have seen also affected and adversely impacted her children and families (Loucks, 2005; Codd, 2008).

## Being ‘bad mothers’; guilt and internalised stigma

In addition to the frustrations around feeling unable to continue *doing* mothering, the disconnected mothers were concerned about their identity as mothers – as they explained how being in prison undermined their own idealised self-image as ‘good mothers’. Research has suggested that mothers “do” guilt following negative self-evaluations regarding their behaviour within a particular context (Enos 2001; Shamai and Kochal, 2008) and the previous section clearly highlighted the mother’s awareness of the adversities facing their loved ones as a result of their imprisonment. These negative self-perceptions tie in with normative expectations around ‘bad mothers’ and crime (as discussed previously in chapter 2) and show how these mothers were grappling with their ‘spoiled identity’ (Goffman, 1963) as imprisoned mothers. Eve’s extract reveals how guilty she feels about being absent from her children, and her negative self-perceptions demonstrate how she considers the need to make up for her perceived inadequacies on release.

*“I’ve let myself down and that is hard to deal with sometimes [...] when I went to prison my son had just come out of primary school and was going to secondary school and so she [my daughter] was there on his first day, she was there making sure he had a uniform, making sure he had money for lunches, making sure that he had all the stationary he needed – she was doing everything that I should have been doing so yeah, I owe a lot to her [...] I’ll do everything I can to support them and help them [when I am released], hopefully for my son through the rest of school and my daughter to get her own life ‘cause she’s been so busy stepping into my shoes that she’s given up her own life for me, so that’s what I’m hoping [...] my relationship with them is damaged and I need to prove myself to them, that I’m not going to do that again”*  
**(Eve)**

What can be seen in Eve's narrative is that being in prison is affecting her maternal identity as she explains how her daughter – as caregiver to her younger brother - adopted the practices which she had previously engaged in, and would have ordinarily undertaken in the home. Her descriptions illuminate the difference in her idealised mothering role as she describes what she *should* have been doing, compared with the actual circumstances, and also what she *expects* from herself in the future. Inevitably she was measuring her own mothering practices against idealised notions of 'good mothering', and considering that she had not met these expectations. These self-perceptions indicate 'internalised stigma' (Herek, 2009) in which the individual accepts society's discrediting of their stigma and begins to internalise these negative beliefs in their own narratives.

Internalised stigma also involves a process of self-stigma – in which an individual facing a spoiled identity displays negative attitudes towards themselves (Herek, 2009). In the extracts below, Betty and Leanne reveal self-stigma, which is demonstrated as they directed negative attitudes inwardly and assume responsibility for their children's experiences of loss and punishment.

*"They lost their Mum, their home, their schools, their friends and even the animals; they lost everything so you couldn't blame them if they didn't want to know me"* **(Betty)**

*"I feel like my eldest son has been punished and he hasn't even been naughty, but the only person to blame is myself and that's a fact"*  
**(Leanne)**

Keira similarly indicates self-stigma as she describes how her daughter's behaviour had changed and deteriorated, and how this makes her feel disappointed because she considers that her bad behaviour had developed since her imprisonment.

*"My daughter's behaviour has changed and she can't cope with me being in here and she's become violent, and she's on the verge of being*

*suspended from school and she's in the first year [...] it didn't start until I came into prison [Interviewer – how does that make you feel?] Disappointed; the fact that I'm in here and I've caused it" (Keira)*

Further evidence of self-stigma was identified in the mothers' narratives as they considered how being in prison meant they did not have the authority to make decisions about aspects of their children's lives. They had deemed themselves unworthy of these decision-making responsibilities, and were beginning to take a step back from their previous maternal role. For instance, Kelly reflects on how she has to leave the decisions to her eldest son and mother because she was in prison.

*"I just have to think 'well there's nothing I can do about it'; I have to leave them, I have to leave the decisions to them, there's nothing I can do" (Kelly)*

In a similar way, both Leanne and Esther discuss the limited role they have in making decisions, and explain how this is premised on having respect for the caregiver, and understanding that they are not able to mother in exactly the same way as they would have in the community. Leanne describes this as biting her tongue, whereas Esther talks about compromise and expectations.

*"I can't just go in and say 'you can't do that and you can't do this', I'm going to have to bite my tongue and hold it because she's been his carer" (Leanne)*

*"For me it is uncomfortable sometimes because they're making some of the decisions and I may not fully support it completely [...] you can't expect them to do everything as you would do it, you have to give a little bit as well, you know, it's give and take on both parts" (Esther)*

Feeling unable to contribute and participate in decision making may lead to these mothers being further disconnected from motherhood over time. Taken to the extreme, this could be experienced so severely that it substantially undermines the



mothers' ability to identify with their maternal identity. Some research has found that a custodial sentence can result in "role exit" where a mother surrenders her maternal identity altogether (Barnes and Cunningham-Stinger, 2014: 7; see also Snyder, 2009), whilst other studies suggest that mothers find it difficult to shrug off their maternal self-stigma on their release back into the community; having lasting implications on the mother and her family beyond her conviction (Shamai and Kochal, 2008). Concerning signs of this trajectory are articulated by Eve, as she considers how the distance from her children makes her feel less able to self-identify as their mother.

*"You're cut off from your children; you're not able to deal with the everyday things that you would deal with when you're outside [...] I feel very distanced, disconnected from them, even though I speak to them, and I see them, I don't feel like I'm their mother at the moment"*

**(Eve)**

Although most of the disconnected mothers did not reach the point where they fully embraced a 'bad mother' identity; it was evident how they internalised stigma from the guilt, which arose from realisations of the repercussions of their imprisonment on their children and families. For the mothers in the disconnected group, being imprisoned substantially altered their own self-perceptions and understanding of their mothering role which may be difficult to re-establish again in the future. Thus, it is possible that in experiencing this deconstruction to their identity, in addition to the challenges in *doing* mothering, this group of women could experience a more severe punishment as a result of being imprisoned *as a mother*. It also illuminates how this group of mothers may be vulnerable to experiencing similar fractures in their family relationships as described by the rebuilding mothers in the next section.

### **The Rebuilding Group**

We have seen how the disconnected mothers were experiencing a change in their maternal role and practices during their first prison sentence, and had recognised their stigmatised identity as an imprisoned mother. However, the five mothers in the

rebuilding group were identified as having entered prison already managing a stigmatised identity following their long engagement in criminal activities and drug use - and the reputation these behaviours have on this group's ability to be perceived and/or identify as a 'good mother'. All of these mothers had lived in different households to their children for several years before their arrest and reported a less active mothering role than the disconnected group<sup>87</sup>. Consequently, these mothers entered prison with substantially different circumstances to the mothers in the disconnected group – and because of this – their narratives of mothering in prison revealed another important perspective and set of experiences of mothering in prison. Two main themes are focussed on in this section:

- **Managing stigma; life before** – This theme focuses on the rebuilding mothers' accounts of experiencing stigma before their current sentence.
- **Re-establishing familial relationships** - This theme explores the mothers' experiences on their current sentence and their accounts of beginning to re-identify as mothers and rebuilding their familial relationships.

### **Managing stigma; life before**

The mothers in this group reported having strained relationships with the children's caregivers, as well as tensions in their engagements with social services before their current sentence. Having been imprisoned previously, and having misused substances for several years, their mothering role was not in line with socially accepted and expected definitions of motherhood. This is why they already occupied a 'spoiled identity' (Goffman, 1963) and why they experienced both 'enacted stigma' and 'felt stigma' according to Herek's (2009) conceptual framework which is discussed

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<sup>87</sup> One mother, Verity, had slightly different characteristics to the other four mothers within the group - as unlike them, she had not served a custodial sentence before and had not had any contact with her children leading up to her imprisonment. Despite this, Verity was indicative of the rebuilding group because like the other mothers re-connecting with their maternal identity, she was also motivated to re-establish ties with her children and family during the sentence.

elsewhere (see chapter 2). Therefore, this section explores the mothers' experiences of stigma from their children's caregivers, and their fears of future stigma because of the bad reputation they had cultivated.

### ***Experiencing stigma***

The rebuilding mother's ability to participate in maternal practices before being imprisoned was heavily influenced by the relationships they held with the person or persons responsible for the care of their children. Depending on the respective care arrangements for the children, this person included family members who had assumed a primary caregiving role and/or social workers. Previous research, primarily from the US, found that mothers often had to negotiate their relationships with their children through intermediaries. In doing so, the mother-caregiver relationships, and especially the caregiver's role as gatekeeper was prominent in shaping mother-child contact (Enos, 2001; Poehlmann *et al*, 2008; Barnes and Cunningham-Stringer, 2014; Tasca, 2016; see chapter 3). Similarly, these caregivers adopted the role of gatekeeper – determining the nature and frequency of contact permitted between the mother and her children. For instance, Sarah's four children had lived with her mother since 2012 and her experiences of stigma are apparent in the extract below as she explains how contact with her children is decided by and navigated through her mother. As Sarah explains, her mother's disappointment in her choice of actions was the reason for her determining the level of mother-child contact.

*“Mum didn't want anything to do with me, she let me, allowed me to speak to the kids and like I could have the kids, speak to the kids once a week through her [...] I think my Mum's just disappointed in me because since 2012 I should have been going in and out, and jumping over hoops and bounds to have my children back and instead I've chose the criminal way” (Sarah)*

In a similar way, Rochelle's ex-husband and father to their three children controlled her contact with them based on his assessment of her not being on drugs.

*“Really it just works out really as long as I’m not on drugs their Dad lets us see them [...] so as long as I’m doing alright their Dad lets us see them” (Rochelle)*

Verity’s and Becca’s experiences of being stigmatised by others occurred in their interactions with their children’s social workers. Verity’s accounts indicate how the social worker did not respond to her attempts at making contact, whereas Becca felt as though she had to prove herself before being allowed contact with her daughter after her previous sentence.

*“When I was out in the community, the social worker wouldn’t respond back to me [I got] nothing” (Verity)*

*“When I got out [of prison] last year the same social [worker] was there, it was still madness, I had to prove that I was going to behave for a month before I could even have contact [with my daughter]” (Becca)*

As well as experiencing gatekeeping by the children’s caregivers before their current conviction, the rebuilding groups’ mother-child relationship was further controlled during their sentence. Previous research has indicated that mother-child contact was facilitated to a lesser degree when the mother had been imprisoned before (Barnes and Cunningham Stringer, 2014) and to a higher degree when the mother had been primary caregiver (Turanovic *et al*, 2012; Friestad, 2016). This may explain why the sanctions placed on the mothers on their return to prison were more severe for the rebuilding mothers - as the gatekeepers would not permit face-to-face contact between the mothers and their children. Although all the mothers were able to sustain letter contact with their children, and three of the mothers could telephone - none of the mothers had received a visit on their current sentence. Three of the mothers reported how their children’s lack of participation on prison visits was based on the attitudes of the gatekeepers, and was a further sign of how the mothers were experiencing stigma. For

instance, Sarah's mother did not want the children to visit because she believed that being in prison is a punishment and should be experienced as such.

*"Mum doesn't agree for the kids to come and see me in jail, she thinks that I'm in here for a punishment so it should be treated like a punishment [...] none of my kids ever stepped foot in a prison" (Sarah)*

Likewise, Carly explains how her auntie, as caregiver to her eldest daughter, will not support or get involved in helping her daughter visit Carly in prison because she disagrees with her going.

*"[My Auntie] gets upset, but she lets that get in the way of her opinions if that makes sense? [Interviewer - In what way?] Like with my daughter coming to see me, she doesn't want to help, she doesn't want to know, she doesn't want to get involved [...] she doesn't think my daughter should come" (Carly)*

This lack of face-to-face contact not only shaped, but controlled, the roles and relationships which the mothers felt they could assume. Within these circumstances, the gatekeepers appeared to significantly influence the type, level and quality of the mothers' interactions with their children, and their engagement in maternal practices. Of all the available forms of contact, visits require a considerable amount of planning, effort, money and time for caregivers (see chapter 7 for more details on prison processes) and so given the context of the already strained relationships with the mothers, it may also be less surprising that these caregivers were not in favour of facilitating and supporting such contact. However, as Becca explains, this level of continued surveillance and the repeated "battles" she experienced with her mother and social services, almost caused her to disengage from her maternal identity altogether.

*"I think you kind of lose all hope when your kids go into care, you feel like you're not going to get them back and [...] you] feel like it is a never*

*ending battle, and sometimes when you're dealing with a lot of other stuff as well, sometimes you do, you just feel like giving up"* **(Becca)**

It is anticipated that the mothers' self-identification as a mother may dwindle through this continued and rigorous monitoring, which may explain how they became increasingly distanced from their children over time. As discussed earlier in this chapter, the intensity with which a woman views herself to have a maternal identity can affect her overall self-perception and behaviour (Boswell, 1999) and "role exit" is the consequence for some imprisoned mothers (Barnes and Cunningham Stringer, 2014). This suggests why the mothers may have participated to a lesser extent in their children's daily lives in the years leading up to them coming into prison, and why they fear discriminatory treatment in the future.

#### ***Fearing stigma; managing a reputation***

Having experienced stigma in the past, the rebuilding mothers were concerned about future sanctions and negative judgements by their children's gatekeepers because of their reputation. Goffman (1963) explains how the discovery of a spoiled identity by an individual does not only impact their reaction to the stigmatised person within a current situation, but also influences their future treatment; as termed a "reputation" (p.84). In the extract below, Carly suggests that her auntie's negative view of her will continue even if she proves that she has changed because of her reputation.

*"[My Auntie's] harbouring things, using them, she's just very, I could do well for the next 2 years and she would still hold it against me"*  
**(Carly)**

For Verity, much of her reputation is seen to influence the conditions set by her social worker as she attempts to re-establish contact with her children.

*"My social worker said to me, as long as I don't put the kids in danger or use any drugs and stuff, then he don't see any reason why I can't have contact back with them"* **(Verity)**

Sarah's account illustrates her mother's concerns regarding the long term implications for her rehabilitation and especially if she resumes care of her children and then ends up relapsing and returning to prison.

*"I think [my Mum's] a bit worried that I'm gonna get out and I'm gonna sort myself out and I'm gonna fight for the children [...] I think she feels that if I get that far, that I go to rehab and I try to fight for the kids and they come back [to me], what will happen to the kids if it all falls apart again?" (Sarah)*

Herek (2009) explains how individuals turn to coping mechanisms as a means to avoid harm when experiencing or fearing stigmatisation. All these mothers already had an established relationship with substances, and within their accounts explained how in the past they had turned to drugs in order to cope. Supporting previous research, the rebuilding group's trajectory into prison was linked to their substance use, which is identified as a particular vulnerability for female offenders and a pathway into crime (Corston, 2007). The link between substance misuse and prison are clearly shown in Carly's narrative below.

*"Very quickly I went back to what I used to do, which was use drugs. So I relapsed heavily. I had a stint in prison 3 years ago, I was in another prison, I came out, I relapsed again [...] I went to get help [in the community] but really methadone just enabled me to just maintain my habit more than help it and then I just couldn't cope anymore [...] yeah, so now I'm in prison"*  
**(Carly)**

Rochelle explains how after coming out of prison last time, she was beginning to settle into the community as she had her own house, but then felt unable to sustain everything and ended up relapsing and using drugs and drinking, which led her back into prison.

*“[Last time] I got my own house but I ended up like using drugs again and drinking and I was like having irregular contact with the kids [...] I couldn’t like hold it down and then I ended up back on the gear again and then I got this sentence not long after that” (Rochelle)*

In recognising the link between prison and drug use it is implied that a cyclical process takes place. Yet revolving within this cycle there is the potential to cause greater distance to form between the mothers and their families, as their stigmatised identity is perpetuated and exacerbated (Enos, 2001). This goes some way in explaining the positionality of the rebuilding mothers on entry to prison, and why their relationships with their children and families were already strained.

However, given that this group of mothers showed signs of trying to rebuild their maternal identity at the time of interview, it was important to consider what was significant and different about their current sentence, in order to understand what may have triggered these changes. Importantly, the rebuilding mothers suggested how the specific context in the prison, with the combination of both external and internal factors, played a considerable role in this subjective transformation. The mothers’ re-identification with their maternal identity as they moved away from occupying a spoiled identity is therefore explored in the next section.

### **Re-establishing familial relationships**

At the crux of their narratives, the rebuilding mothers described their renewed motivation to re-establish their familial relationships. Specifically, the mothers discussed the benefits of being engaged in the drugs rehabilitation programme on their prison sentence and considered how the positive effects of being “clean” provided clarity in regards to their lives and recent experiences. This may be similar to Shamai and Kochal’s (2008) research, which proposed that some women experience a turning point in prison because of meaningful interactions that trigger positive changes and outlooks. Although for many of the mothers, this was not their first experience of rehabilitation; they strongly asserted that this programme was being approached



differently. This is shown in the extract below from Becca as she recounts her changed outlook on rehabilitation.

*“It’s taken a while to get to that stage so I’m looking to go to rehab [on release] now [...] I want to go to rehab on release, it’s a rehab that promotes contact [with children] after sort of 2 weeks, it’s close by, so it’s not far from my daughter [...] I’ve said I’m not going to waste the time and the money [on rehab] if I’m not really ready to do it but yeah, because of how bad I was before I come in, it’s been a real wake up call, [I] never wanted to actually go to rehab before, I went to one when I was 16 [but] I can’t keep doing [this]” (Becca)*

The intensive treatment and self-reflection on the drugs rehabilitation programme created a turning point in the mothers’ own self-perceptions. Previous research has shown how motherhood has strong pro-social role during rehabilitation (Opsal, 2011) meaning it has been found to be an effective way to help women desist from future criminal behaviour (Bachman *et al*, 2016). In a similar ways it seems that this programme had encouraged these women to draw on their maternal identity and responsibilities to motivate positive changes. They acknowledged how their past engagement in drug use had been internalised and had contributed to their feelings, status and practices as a mother. This process is articulated in the reflective extract from Sarah, who, on her seventh sentence described the substantial transformation her current sentence had evoked.

*“This is the first time I’ve been clean in 9 years [...] most of the time I’ve just gone to jail and walked out the gates and gone back to square one again [...] this time I’ve been putting the effort in, I have been keeping clean, I want to go to rehab [on release], I’ve been fighting for it [...] but when I’m outside, cause I was in that big bubble of addiction, going out stealing and everything else, and the kids obviously went to live with my Mum [and] after that, that’s what my life was all about, I*

*don't know [it's] 'cause I've got feelings back that I do [...] I do miss them [...] I mean it's sad that it's took for me to come back to jail like this. I mean this is longest sentence I've ever done and it [has] proper broke me this has" (Sarah)*

The drugs rehabilitation programme facilitated the mothers' initial move towards being able to re-identify with their maternal identity as they moved away from a key contributor to their stigmatised identity – the substance misuse. Previous research on desistance from crime has similarly shown how becoming rehabilitated involves a subjective change and a new narrative about themselves (Maruna, 2001). A central part of this involves focussing on the future and finding fulfilment in contributing, or 'giving something back' to important people in their lives. For Sarah in the extract above, this transition towards her maternal identity was evidenced through a reawakening of her maternal "feelings" and is premised on the emotional aspects of motherhood. Whereas, for Verity the opportunity to re-engage with her maternal identity was premised on her ability to make the initial contact with her children for the first time in 3 years since coming to prison, and potentially have a role in the their lives again.

*"I can start getting back in touch with them and stuff and seeing them so I'm very happy [...] happy because I've been clean off drugs for 6 months [Interviewer – And can you describe how that may have made a difference to things?] Well it shows that I'm doing something about it now but it's taken me coming to prison to do something, to finally do something about it" (Verity)*

In reflecting on their maternal status and relationships over recent years, the mothers recognised how little they knew about the intricacies of their children's characters - their personalities, appearances and preferences. Sarah felt emotionally distanced from her children and this is apparent in the extract below as she describes how in missing time with her children, they have been growing up. Sarah is

especially concerned about her youngest son who at the age of 3 had always been cared for by his grandmother, which meant she felt as though she did not know about his day to day life and preferences, such as his favourite foods.

*“I missed so much about my kids. I mean if you ask me about my youngest son, ask me about my son and I don’t know, I couldn’t tell you what he likes to eat, I couldn’t tell you where he wants to go [...] I haven’t seen my kids now for nearly a year, and a year to some people don’t mean a lot, but it does to me when they’re growing up that fast, I’ve missed everything.” (Sarah)*

Verity’s two sons were removed into long-term foster care and she had not had contact with them for 3 years. Within the extract below, she is reflecting on missing this time and what the effects of this were in terms of knowing how they had developed.

*“I don’t know what they look like, neither [of them] really, I’m waiting to get some photos [...] I don’t even know what their handwriting looks like. It’s a shame [...] I’ve missed out on 3 years of their life” (Verity)*

Woven into their narratives, the rebuilding mothers described their limited knowledge concerning core and daily undertakings in their children’s lives. This links back to the concept of ‘family practices’ and how these are situated in the regular and everyday (Morgan, 2011). It also resonates with the earlier findings in this chapter from the accounts of the disconnected mothers, and their concerns about missing milestones, providing some insight into the possible experiences and vulnerabilities for imprisoned mothers being separated over longer periods of time.

The mothers in the rebuilding group recognised how they had missed significant temporal points in their children’s lives – and detailed ways in which they aimed to re-establish a maternal role in the future. Rochelle explains in the extract below how she believed it would be possible to re-establish her mothering status again if she continued to engage with her drugs rehabilitation on release.

*“Since coming to this prison and doing the drug rehab course [...] I still want to sort myself out [Interviewer - what’s motivating you to sort yourself out?] Me kids, just the life I was living, I’m hoping to go to secondary rehab so, to rehab outside anyway [...] I just need to get back out there and get somewhere to live and start being a Mam again to them really” (Rochelle)*

For Carly, a key factor for her being able to re-connect with her maternal role was premised on providing a home and assuming a caregiving role on release, as she was aware that her daughter was nearing an age where she could choose to live with her and did not want to miss that opportunity.

*“I want to be working [on release], like my daughter wants to come and live with me when she’s old enough, which is in 3 years [...] I don’t want to be in this position in 3 years’ time and having to say no to my daughter if she’s ready, I want to be able to provide for her and I want to have some sort of stable life where she could come if she wanted to” (Carly)*

We have seen how the drugs programme encouraged the mothers to make links between their rehabilitation and their maternal status – to use motherhood as a motivator for refraining from future relapses. This suggests how the prison may have been using motherhood as a mechanism not only to encourage recovery from substance misuse, but also desistance from future crime. In turn, this links back to the ways in which family relationships have been considered in wider policy and penal discourse, and specifically the role of the family in aiding the government’s attempts at reducing re-offending (see chapter 3). Adding further support to this argument, it was also evident that the extracts above only focused on achieving a mothering role on release from prison – yet if the mothers had also attempted to mother from prison, then it is expected that they would come up against the same challenges identified by the disconnected mothers. Earlier in this chapter, the disconnected mothers’ attempts

at mothering from prison illuminated several difficulties in sustaining a maternal role and identity within the establishment, as well as the limitations of prison processes to support them in maintaining contact. Thus, in re-establishing their maternal role, the rebuilding mothers are given no additional access to prison processes as they undergo these serious transitions, and are therefore likely to experience the same problems as the disconnected group as mothers in prison. This brings into question the extent to which the prison is truly investing in these women as mothers, or is using motherhood as a hook during rehabilitation to help reduce re-offending.

Moreover, the rebuilding mothers felt as though their attempts at re-connecting with their maternal status would include further challenges, based on their experience of stigmatisation from their children's caregivers. Thus, the rebuilding mothers were aware of the difficulties that may lie ahead in their pursuit of a maternal identity. Already the mothers' articulated how they were encountering problems in participating in their children's lives in a maternal capacity. As Rochelle describes, her children's father and primary caregiver is reluctant to allow her to have any say in their children's lives, leaving her feeling powerless.

*"You're just powerless over doing or saying anything, like if I start wanting to discuss things with the children's Dad, he just, he wouldn't, he thinks I have no right" (Rochelle)*

Becca explains how legally she shares parental responsibility of her 3 year old daughter with her Mum and social services, but in spite of this, feels as though she is unable to contribute to decisions.

*"I share my parental responsibility with social services and obviously my Mum [...] but it feels like I have none at all, I'm not making any decisions about her at all" (Becca)*

As a result of this, the mothers acknowledged that this process would need to take place slowly and over time as Carly and Rochelle articulate.

*"I'm just going to have to take one day at a time I think, try not to run away with ourselves, forget where I am" (Carly)*

*"I think it'll fall into place gradually" (Rochelle)*

Sarah acknowledges how this process will involve her building trust with her Mum again.

*"I just got to build up a lot of trust; I've ruined all my trust and respect from my Mum" (Sarah)*

Above all, the overriding impression is that accompanying an intricate set of external and internal circumstances, the rebuilding mothers were able to begin re-engaging with their maternal identity. To reach this point appeared to be irrespective of the number of past prison sentences or the mothers' previous attempts at rehabilitation from their substance use – as these factors varied in the mothers personal histories. In beginning to re-identify with their maternal identity, it was observed how these mothers were striving to rebuild their familial ties and relationships with their children, and were doing so in preparation to be actively involved following their release. Nevertheless, facing these mothers were not only sensitive and complex issues with their family members outside, but also within the highly regulated prison system which provides little additional support for mothers attempting to sustain meaningful relationships with their families.

## **Summary**

The experiences of the mothers before entering prison played a critical role in their maternal practices and identity during their prison sentence, and in their accounts of mothering in prison. Therefore, based on their experiences of motherhood, the fifteen mothers interviewed fell into two groups; the disconnected group and the rebuilding group.

The disconnected group, in experiencing imprisonment for the first time, were grappling with their positionality through a reduced ability to continue doing

mothering. Their accounts illustrated their reduced engagement in 'family practices' and the repercussions on their children and families. Being absent in their children's daily lives and feeling unable to provide support were key areas discussed by the mothers, as well as their upsetting experiences of missing key milestones. Intertwined with this, the mothers' feelings of guilt from being absent led the disconnected mothers to internalise their stigmatised identity as a 'bad mother', much like Goffman's (1963) understanding of a 'spoiled identity'. As such, their imprisonment was experienced more harshly, and may be akin to a double punishment because of the additional challenges they experienced *as a mother*. This also placed this group of mothers in a particularly vulnerable position as they navigated being imprisoned for the first time. The extent to which being in prison had an impact on their maternal status may cause the fracturing of their familial relationship, and affect their future re-integration into family life. This is especially likely with the inadequate support and poor facilitation of prison processes as a means to sustain mother-child contact in prison (as discussed in chapter 7).

The rebuilding group, on the other hand, entered prison with a stigmatised identity and already strained familial relationships, which had been accumulated from past prison sentences and a continued engagement in substance use. It is likely that these mothers had occupied the same space as the disconnected mothers on their first sentence, but had moved away from this positionality over time. The five mothers in this group experienced stigma from their children's caregivers, and were fearful of further stigmatisation in the future as a result of their reputation. The mothers' accounts of experiencing stigma link to Herek's (2009) conceptual framework of stigma and Goffman's (1963) work on 'spoiled identities'. Unlike their past experiences of prison, their current sentence was considered to be different because of their engagement in a drugs rehabilitation programme. It was evident how the rebuilding mothers were beginning to re-identify and engage in their maternal role – and planned to continue this rehabilitative process in the community on release. Nevertheless, within the prison setting, these mothers would encounter the same lack of effective

support as described by the disconnected mothers despite their attempts at re-establishing these familial ties.

It was clear how being imprisoned had substantial repercussions for all the mothers in the sample – in the fracturing of familial relationships for some, and in providing an opportunity to rebuild these for others. It has also given us a glimpse into the possible trajectory of motherhood in prison – from issues arising for mothers on their first sentence, to the challenges facing mothers after subsequent convictions. Although the data does not indicate exactly how this may unfold in the mothers' lives, it was evident that the role of the prison in facilitating and supporting mothers with their maternal practices and identity is crucial. This will be critically examined in a later chapter on prison processes; where the role of the prison in shaping family contact is focussed on. However, the next chapter first examines the lives and experiences of the second cohort of participants in this thesis – the children's caregivers.



## **Chapter 6 - Caregiving outside prison**

The previous chapter revealed the difficulties facing mothers in prison, and outlined the challenging environment in which motherhood was attempting to survive. Not only did this have implications for the mothers as they attempted to sustain or re-establish their maternal role and identity, but it also had very serious repercussions for the children and family that get left behind. As this chapter will go on to reveal, these family members were also serving the sentence – and a punishment – one step removed. In assuming care of the mothers' children they were managing substantial upheavals and disruptions to their everyday lives, practices and personal relationships. The events taking place were also highly stigmatised; with the loss of the mother to prison receiving little social validation in society and in the Criminal Justice System (CJS), for instance through a lack of policies and provisions aimed at supporting them.

This chapter presents the accounts and findings from interviews conducted with caregivers in fifteen families who were experiencing maternal imprisonment. As chapter 4 details, six interviews were conducted solely with one caregiver, with the remaining nine being undertaken with two family members and/or friends who had assumed a caregiving role to the mothers' children since their imprisonment. The majority of these carers were maternal grandparents and female relatives, with a smaller representation ( $n=3$ ) of fathers (and/or step-fathers) indicating a gendered trend to this caregiving. Having undertaken these interviews with multiple individuals, it became clear how the re-organisation of the family was experienced collectively within the social and familial network, with practices and responsibilities adopted not just by a single carer but by several members. However, this meant many family members had inherited the associated disadvantages and tensions in their daily lives, despite being innocent of any crime.

In a similar way to the cohort of mothers, the carer's were asked to describe their familial lives before the mother's incarceration (see chapter 5) and reflect on the subsequent changes since her removal into custody. Their perceptions of the prison

establishment(s) where the mother was detained were also explored, and especially their experiences of sustaining contact with the mother. Although for the most part these processes are critically explored later (see chapter 7), they are also highlighted and discussed at points in this chapter. The main themes revealed in the caregivers' narratives fell into four areas, and accordingly this chapter is organised into the following sections:

- 1. Court and the first weeks** - focuses on the caregivers' response to the custodial sentence in the first weeks, including their experiences of court processes.
- 2. Becoming the caregiver** – investigates the caregivers' descriptions of assuming care of the children, and the knock-on effect this had on their identities, home life, social life, work patterns and finances.
- 3. Managing relationships** – explores within-family relationship, including the support and tensions that arose, whilst also revealing the carer's perceptions of the mother-child relationships.
- 4. Managing stigma** – critically examines the caregivers' accounts of media reports pertaining to the mother's imprisonment, as well as their disparaging experiences of stigma.

### **Court and the first weeks**

Many of the caregivers' stories began with the shock and trauma of coping with the mothers' custodial sentence. Most had not anticipated this outcome or been prepared to assume immediate care for the children when separated from the mother. This distress may have been more severe considering the majority (n=14) of the mothers in their families had not been in prison before, and so they were not accustomed to the penal processes. They were also not aware of the reality of what the sentence could mean for their family, and making this more confusing, they described receiving little information and support during this difficult time.

### ***Unexpected and unprepared***

Although all the caregivers reported knowing about the mother's court hearing before it took place, the majority (n=11) had not expected the mother to *actually* receive a custodial sentence. Consequently on hearing of the mother's imprisonment, the families experienced deep shock and sadness as they attempted to come to terms with the news. Alongside this, they were also working together and trying to deal with the substantial changes this brought about within their families and especially in organising childcare. This aligns with previous research, which found that a quarter of caregivers looking after female prisoners' children had not anticipated the prison sentence, creating increased uncertainty about childcare arrangements (Boswell and Wood, 2011). Interestingly, the carers explained that the prison sentence had been so alarming and unexpected because they had believed that the mother was innocent. Pita, an Indian national living in England with his wife and son, explains how a guilty verdict had not been considered because he was convinced his wife was innocent.

*"We were not stressing about it because we have done nothing wrong and so why would we worry about it if you believe in the justice system of the UK [...] I firmly believe that she did nothing wrong" (Pita)*

Some caregivers went into great detail about the crimes and why they believed the allegations were false, or how the charges brought against the mother would not warrant imprisonment. In some families this was strengthened by legal professionals who had advised that a custodial sentence was highly unlikely. As Ava recalls the first weeks were particularly shocking because the solicitors involved in her daughter's trial had suggested there was only a small chance that she would face prison and so few discussions had taken place about the care of her two granddaughters.

*"Everybody was shell-shocked, really, really shell-shocked [...] it was totally unexpected because [...] she had basically been assured that she wouldn't be going to jail [...] her lawyers had said to her that 'there was a 99 per cent chance that you won't go to prison'" (Ava)*

Similarly, Kristen recalls how the mother in her family was not represented by their solicitor at court as he was sure that she would not be facing a custodial sentence given the charges and the circumstances surrounding her 'crime'.

*"The solicitor didn't even go [to court ...] because he said 'she's not going to get a sentence; first offence, under 2 years, non-violent, no risk'"*

**(Kristen)**

Yet the literature review earlier in this thesis (see chapter 2) highlighted the inconsistent treatment of mothers in the court, with issues around discretion and mitigation being raised. Although the data does not reveal if these issues were similarly experienced by the mothers in these families, it is a possible explanation for the unexpected outcome of a custodial sentence.

When the families had not anticipated the custodial sentence, they had made few preparations – emotional or practical – and were not ready for the changes that would follow. Two families had taken steps to prepare care arrangements as the mother and her children went to live with the caregivers (in both instances these carers were maternal grandparents) after the arrest. This was to settle the children and remove any potential issues regarding the mothers' home or property<sup>88</sup>. Although these preparations were vaguely helpful in a practical and caregiving sense, the grandparents were still shocked when they learned of the verdict. Despite having lived with their granddaughters during the mothers' trial, Derek and Madeline did not believe their daughter was guilty and were alarmed that she received a four year prison sentence.

*"She was arrested and she came to live here [...] we didn't think she would [go to prison] but in the end we were preparing ourselves and I was shocked at the length of the sentence"* **(Madeline)**

Only one family had anticipated the prison sentence; in which the mother had discussed this eventuality with several members in the family before the court case.

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<sup>88</sup> Later in this chapter, some caregivers explain how their role since the mothers' imprisonment also involved sorting the mothers' personal effects; such as houses, finances and property.

This was found in Kevin's account as he indicates how the worst case scenario factored into their plans for the children's sake.

*"[Their] Mum is very methodical, she's like 'just in case worst case scenario does happen, we need to have a plan' so obviously her side of the family, the children's Dad and me sat down in the front room and discussed, you know, what is best for the children if the worst case scenario does happen?" (Kevin)*

Therefore aside from three families, few preparations were organised within the families *before* the mother's removal. The unexpected outcome of the prison sentence meant that the caregivers had little time or resources to respond to the considerable changes in their lives; from losing the mother, whilst simultaneously organising and assuming care for her children.

### ***The sudden change***

For many of the family members, the mother was either a partner (wife or girlfriend) or their daughter, and so they described having a close and strong relationship with her leading up to her imprisonment. These relationships differ from those reported in an earlier chapter (see chapter 5<sup>89</sup>) by the rebuilding mothers which is likely because the mothers in the caregivers' families were serving their first sentence and had similar characteristics to the disconnected group. As Lucy explains, learning about her daughter's sentence left her completely bewildered; experienced both physically and emotionally as she grappled with the difficult and sad news.

*"At the end of the day she's my baby girl [...] so we just felt completely overwhelmed. You know? Crying, in shock, feeling sick, not being able to eat [...] it's been shocking, really shocking, absolutely horrendous" (Lucy)*

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<sup>89</sup> Chapter 5 found two distinct groups in the cohort of mothers; the disconnected group and the rebuilding group. The former had been primary caregivers or actively involved in their children's lives before prison and were serving their first custodial sentence. The latter had become more distanced from their children over the years leading up to their current sentence and had strained relationships with their children's caregivers because of on-going substance misuse and their multiple prison sentences.

In their attempts to articulate and explain the severity of the situation; some of the families indicated how the pain of losing the mother to prison was similar to experiencing a death in the family. Considering the close mother-caregiver relationships, the nature and level of the loss and distress was experienced as bereavement. For instance, Janice describes how her daughter's imprisonment in the first weeks was so distressing and unsettling that she felt as though she was grieving her death.

*"I mean I couldn't stop crying for the first week, it was absolutely horrendous [...] it felt like it were a death, like there was a death, you were grieving"* **(Janice)**

Daniel similarly explains how his wife's imprisonment caused him to feel extremely low as he grappled with the loss and emotions of grief in the first weeks.

*"I was stunned [...] it's like if someone dies you've just got to get on with it, you've got to get through it, it is hard and I mean the first weeks were rock bottom, I mean I was rock bottom [...] the first weeks are hard"* **(Daniel)**

Other scholars have previously linked parental imprisonment to bereavement (Bocknek *et al*, 2009; Turanovic *et al*, 2012), and so these findings further illuminate the severity of this loss for family members. The theory of 'ambiguous loss' (Boss, 2007) is also relevant here, because this highlights the challenges facing family members separated under precarious situations; in this case being physically absent, but psychologically present. This loss was especially difficult as many of the carers suddenly had to assume care of the children post-sentencing when the mother was detained into prison custody. This is a key difference between maternal and paternal imprisonment, as in the latter case, most children (90 per cent) remain in the care of their mothers (Dodd and Hunter, 1992) and do not need to change residence or caregiver immediately (Friestad, 2016). Yet for Miriam, her granddaughters were in nursery on the day their mother was convicted, and they never returned home.

*“ [It was] more or less straight away, I mean the eldest two were at nursery, they went to nursery one day and they just never went home again; they came to me” (Miriam)*

Carers were adamant that the children should be looked after within the family as it was their responsibility and obligation to do so. A more nuanced understanding of this response can be gained by drawing on Finch and Mason’s (1993) understanding of ‘family obligations’ as it is likely that the positive nature and quality of the past mother-caregiver relationships may have influenced this decision for reasons of reciprocity and kinship (see chapter 3). There was almost an inherent assumption that it was their moral and familial responsibility to look after the children, although as with research in the US (Schlafer *et al*, 2015), this was generally decided without any real understanding or appreciation of what it would mean in reality, or long-term. As Shannon explains, it has been stressful looking after her grandchildren, but it was the least bad option considering that otherwise they would have gone into foster care.

*“There was no way they were going to go into care; the kids have been through a lot [...] it has been stressful with Mum gone but [...] I’d rather them be with me than be in the system because to be fair, when there’s 3, they’d have got split up, you don’t know where they would have ended up or what would have happened to them” (Shannon)*

Some of these sentiments may be linked to fear of stigma for the children because of negative social reactions to their mothers’ imprisonment (see later in this chapter and chapter 3), as well as managing negative judgments that may arise because of the families’ subsequent involvement with social services. As Miriam explains, she was pleased to have been given formal responsibility for her granddaughters through social services as this prevented them from having the label of ‘looked after children’.

*“I didn’t want them to be ‘looked after children’ so the judge gave me residency which then meant that they weren’t ‘looked after’ which then made me very happy” (Miriam)*

As we have seen, the initial few weeks were particularly difficult for families as they attempted to come to terms with the custodial sentence, whilst being simultaneously confronted with challenges as they attempted to navigate the complex court processes.

### ***The court processes***

Family members and friends had often accompanied the mother at court, which is where they learned about the prison sentence. However, they were surprised to find that there was no facility or availability for them to see the mother after the sentencing and before she was taken into prison custody. Lorraine's best friend was a mother to two young children (under 6 years old) and yet she was immediately taken away after sentencing; removing any opportunity to discuss childcare arrangements.

*“What I find really hard is that she was just taken away and you couldn't even have a visit with her before she went down [...] we didn't know [if there] was anything we need to pass on, and she's got two children that depend on her” (Lorraine)*

This harsh process appears to ignore that the individual being removed is a mother, and overlooks the possible need for her to discuss and organise childcare arrangements with family members. Shelia explained how nobody seemed concerned about her grandson during the trial or showed any awareness of the potential welfare and caregiving needs he may have.

*“When she went and was sentenced and taken away, nobody mentioned about her son, it was like he didn't exist” (Shelia)*

Not only are criminal court proceedings failing to identify dependent children, but this does not happen at any stage in the CJS, or by any official body (see discussions in chapter 2). A joint campaign “Families Left Behind” (PACT, 2015) led by the voluntary sector has pressed for legislation to be introduced that ensure that defendants are routinely asked about dependents at court. In demonstrating a need for this system,



Ava suggested that someone should be employed by the court to ask about the children and guide parents and families through the complex processes.

*“There should be someone there, maybe at the court who can get in touch with the family and say ‘right this is what you need to do and this is the process etc etc’ [...] somebody there [with the prisoner] saying ‘right who do I need to contact about the kids?’, and then they phone you [the family] and say ‘right so-and-so has gone to prison, she’s got 10 months’” (Ava)*

Instead, as Daniel explains, family members are not given any information about which prison the mother will be detained in or what happens next within the CJS process.

*“There’s nothing at court to say what to do afterwards, they just say ‘she’s gone’ and then go and try and find out any information, where she might be going or what happens next and there was nobody to ask so we was just left in limbo” (Daniel)*

Further challenges arose at the prison in the first weeks, as the family members reported feeling frustrated and distressed as they waited to achieve contact with the mother – which could often take some time. This is despite regulations stating that the prisoner should have a reception phone call on the day they arrive at the prison (Prison Service Instruction (PSI) 49, National Offender Management Service (NOMS), 2011; see also chapter 7). Martha and Malcolm became increasingly worried and anxious about their daughter when they had not heard from her in the two weeks after she was taken into prison custody. They describe how they had repeatedly phoned the prison to try and get some information and guidance about the processes, and to learn what to expect in these circumstances. However, they found this process frustrating and unhelpful.

*“Malcolm – when she was sentenced and they took her away we didn’t speak to her or see for two weeks, there wasn’t nothing for about two weeks*

*Martha - no there wasn’t, we were like obviously really worried because we hadn’t heard not even a phone call from her [...] there is a lack of information, like between everyone that’s involved [...] and then they [the prison] never ring back do they? And nobody answers and everyday we’re left wondering what happens because no-one tells us what happens next” (Martha and Malcolm)*

Not knowing how or when contact would be established was fraught and distressing for families; not only for the mother who may want to contact her children, but also for those members outside who are concerned for the mother’s welfare and suddenly charged with making decisions about her children. This led to several families proposing that an information pack about the prison and the processes would be helpful to help them navigate this stressful and unknown trajectory. The need for proactive provision of information and guidance to families at the earliest stage following a member’s imprisonment has been previously identified as a key requirement for relatives (Loucks, 2005). As Lorraine explains, there is no-one there to support the families at the prison as they do not get invited to an induction and are consequently clueless about what to expect.

*“Something like a fact sheet [...] there’s no workers that come out and induct you into the prison; ‘what’s going to happen to you, what’s going to happen to them’; you’re just clueless” (Lorraine)*

However, one family’s experience of court was very different. This was because the court at which Kevin’s partner was sentenced there was a voluntary sector organisation working with the defendant’s family and offering them information and support. Kevin was both appreciative and impressed with this service and in the extract below he describes his engagement with this organisation.

*“They were there at the court [...] and obviously as soon as whatever happened they came over and spoke to me and I said ‘hi I’m Kevin and I’m looking after the kids’ and we went from there [...] they are based in the local area but basically any problems I have, they are there to support me” (Kevin)*

Considering Kevin’s positive experience, it is likely that support of this kind would be welcomed by other family members – and may even bridge the gap that Ava identified as she suggested that there should be a person at court working with families. It also highlights how the provision of support is determined by a “postcode lottery” (Raikes, 2016) as it seems this service was available to Kevin because of the county he lived in. One provision that has been rolled out nationally in recent years is the “Offenders’ Families Helpline”, which is a Freephone service funded by the Ministry of Justice and run by the voluntary sector. Evaluations of this service have found that it is an effective resource for families (Sharratt and Cheung, 2014). However, only a few families had either phoned this helpline, or knew of its existence in my sample, suggesting that information about this service was not widespread or adequately advertised. Those who had used the service found it was helpful at answering more general queries about the prison system, but was not able to offer many insights into the workings of the individual prison establishments, for instance with regard to their particular rules or visiting times.

A more consistent response to these familial issues is needed and may be achieved if the courts asked about dependent children and determined a woman’s maternal status. Pre-Sentence Reports (PSRs; see chapter 2) are one way this could be achieved, as they investigate the defendant’s personal and familial circumstances before sentencing. It might be more helpful to families to receive more information about the possibility of an imprisonment *before* the mother attends court, with specific information about the prison the mother is being taken to, including rules at that establishment immediately *after* the custodial sentence is issued. This may alleviate

some of the shock and stress for the carers, as we have learned how disrupting and distressing the first weeks can be.

### **Becoming the caregivers**

This second theme reveals the substantial changes and challenges involved in the process of becoming caregivers. Their narratives point towards a strong moral assumption that these responsibilities should be assumed within the family. Yet it was also clear that these decisions were made with an absence of reality or understanding of the nature or scope of these readjustments in their daily lives; in the home, their engagement in paid work, financial situations or their legal position as temporary caretakers. This process was much more complex than simply replacing the mother with another caregiver; instead it involved working carefully to balance and negotiate the different activities, expectations, needs and practices. As we examine in more detail later, the carers also drew on their social and familial networks for support during these difficult times.

### ***Daily life; identity and 'family practices'***

In looking after the children on a more permanent basis, the family members explained how these daily interactions had changed the role they played in the children's lives, and also altered their identities. This was seen as a necessary process to compensate for the mothers' absence, and in response to the substantial increase in their childcare responsibilities. For Ava, her role and identity changed from being grandma, to being one that involved many different identities as a means to offset both mum and dad going into prison.

*"It has been hard, you know, I mean, it is just totally different; sort of from being a grandma to be being a full time mummy, daddy, granny and whatever" (Ava)*

Even though some carers (fathers and grandparents) had lived with, and been caring for the children prior to the mothers' conviction, losing the mother to prison involved significant readjustments because she had played a principal caregiving role. For

instance, Pita described how he was also attempting to overcome the mother's absence in his son's life by assuming domestic roles and responsibilities that his wife had done.

*"Well I act like a mother for him sometimes [...] so I make his breakfast, I make and get his food ready, I iron his clothes and everything, I dress him, I polish his shoes, I check his diary and look at his free days and I ask him about his homework [...] I am his mother, I am his father, I am everything until his Mum comes home" (Pita)*

Morgan (1999) has emphasised that the essence of family life is fluid and is an active process, and therefore the 'family practices' are reactive in accordance with the current circumstances, rather than existing within pre-defined or rigid structures (see chapter 3 for more details). Therefore, the transitions in the caregivers' daily lives and routines largely focussed on adopting and adapting many of the 'family practices' that the mothers had engaged in previously. This links to the previous chapter (see chapter 5) whereby the group of mothers serving their first sentence (the disconnected group) described the difficulties in maintaining a maternal role because they could no longer engage in the same, everyday 'family practices' they had performed in the community. Particularly it was in the 'doing' of everyday tasks such as bedtime routines and school pick-ups where Malcolm understood and identified there to be a shift in their identities; from being grandparents to being more like parents.

*"His Mum [would] do things for him, like bathing him, bed, going out, taking him to school and picking him up and things like that and so we've become sort of full time parents now" (Malcolm)*

Similarly other grandmothers described how 'doing' certain practices and activities were experienced as 'going back'; because their new caregiving role reminded them of tasks they had previously engaged in as mothers, when raising their own children in the past. For Janice this involved returning to practices such as doing homework, and

responding to the physical needs of a baby, although she hints at the challenges of doing this as a grandmother in her 50's.

*"I am very energetic but I'm 53 I'm Grandma, but you know, it's like you're going back to helping them with the homework, their reading and it's all the baby's physical needs" (Janice)*

Likewise, Shannon was caring for her three school-aged grandchildren and so her experience of 'going back' involved doing particular 'family practices', such as ironing the children's uniforms on weeknights. She considered it to have been a long time since she was doing such activities because her own children were now adults.

*"I get started on the tea and like I've 4 uniforms to iron everyday cause I wear a uniform for work cause they have a clean uniform every day and then it's like showers and you know, before you know it, it's like 7 o'clock [...] I'm totally shattered but my baby [daughter's] 27 [years old] so it's a long time you know to go back to doing it" (Shannon)*

In their stories, it was clear that the needs and welfare of the children were prioritised in the family, and that their comfort and happiness was of paramount importance. For Kevin, as step-father and father to the mother's five children, this meant ensuring that he kept the children's routine the same at home, and that contact was maintained with the mother through the different routes available.

*"I've come to conclusion that with the children if you muck up their routine then that's when you can have problems, yes they're going to have sad days, yes they're going to be upset and yes they're going to miss Mum but I take the journey up every weekend and if the kids wanted more then I would do it for them, but they're doing ok" (Kevin)*

Not only does this show the importance given to familiarity and routine for the children, but also maintaining frequent mother-child contact as a necessary means to manage and respond to the adverse effects of the mothers' absence. Kristen also

explains how they attempted to do anything and everything possible to keep the mother's four year old daughter happy, as they recognised how she had become more emotional and clingy since being separated from her mother.

*"We just try to do whatever we can, try to make them happy, that's all you can do really, can't do anymore" (Kristen)*

In addition to the childcare responsibilities, these family members also became accountable for other aspects of the mothers' personal lives and affairs, including her house, finances and property. In some instances this involved running two households or being responsible for paying bills, organising welfare claims, ending tenancies and removing or storing the mother's property from her home. However, this was not straightforward or easy to manage, and as Ava explains, she did not know how to handle her daughter's home and social welfare claims, and describes the stress associated with doing this.

*"[I was] trying to think of all the sorts of things that you need to do for her like find out about 'is the council tax still going to need to be paid? How about her rent and housing benefit?' [...] it was confusing, bewildering, stressful, worrying and just trying to keep things together really, it was, I would be more stressful than anything" (Ava)*

In organising these affairs they needed the mother's permission to have authority to make changes; often in the form of a letter or a signature. Yet, as Janice explains, trying to sort her daughter's property and end her tenancy was a particularly challenging process considering the difficulties in communicating with her in prison.

*"I'm just bashing my head all the time, an example, we're closing up her house up now, we've been all last week packing it up and we're moving her out on Saturday [...] I've got to send her all the information, she's got to write this letter out, sign it, send it to me and I've got to scan it over to them [...] it is a nightmare" (Janice)*

Whilst dealing with the mother's tenancy and/or finances, these family members were relying on prison processes to facilitate their communication with the mother via letters or email-a-prisoner in order to get signatures and move forward. As chapter 7 goes on to illustrate there are several limitations to letter-writing as they have been found to be unreliable and slow in the prison setting. Furthermore, the inadequacies and paucity of other forms of contact, such as telephone calls and visits, also means that other routes of acquiring signatures can be equally as challenging. Previous research has also indicated that literacy can be an added problem for the prisoner population (Skills Funds Agency, 2015) and although this was not explicitly mentioned by family members in my sample, it is conceivable that this could also affect this process for some families. Thus organising these affairs can be extremely stressful and frustrating for carers.

Undertaking these additional tasks also placed more demands on the caregiver's time – and in some instances meant that they had little respite from managing all these responsibilities. For instance, Annette and her husband had been caring for their grandson for a few years before his mother (their daughter) was incarcerated, and yet because she had been actively involved in his life, looking after him on weekends and doing school pick-ups, her absence meant they had had no time off from looking after him in the six months since she had been incarcerated.

*"It's not easy. Before at the weekends he were always at his Mum's and we haven't any time for us and we've not had a day to ourselves in 6 months, not since she's been locked up [...] we haven't got a social life anymore because his Mum's missing" (Annette)*

Many carers like Annette described feeling tired and exhausted, feeling they had little opportunity to take time off. However, many also made reference to the crucial support offered by extended family members; as they picked up some of the caregiving duties to help and support.



### ***Work life and financial situation***

The financial implications of looking after the children were extensive; from affording extra everyday costs such as food, to buying clothing as they grow out of existing items, providing money for school trips or other activities, and financing nursery places. This may help us understand why a large body of research has indicated that there is a substantial economic cost for families during parental imprisonment (Social Exclusion Unit (SEU), 2002; Christian *et al*, 2006; Codd, 2008; Dixey and Woodall, 2012; see chapter 3). Findings from research in the UK exploring paternal imprisonment also showed how childcare responsibilities can affect the caregivers' participation in employment (Losel *et al*, 2012). Similarly, when Miriam assumed care of her three granddaughters (all under 5 years old) she decided it would be better for their wellbeing, and most cost-efficient, to leave her job.

*"I did work, but I gave up my job when the children came to live with me [...] it would be very difficult for me to go back to work and I thought with 3 little ones, they've been through so much already [and] for me to just go off to work, it wouldn't be the right thing [...] so I decided to give my job up and look after the children" (Miriam)*

Age was also an important factor for Janice when she assumed the care of two young grandchildren - aged 10 months and 6 years. The high costs of external childcare outweighed her income, and so she decided to substantially reduce her working hours to look after the baby at home.

*"I used to work 40 hours and I've cut it down to 15 to take care of them [...] it wouldn't be worth me going back to work if I paid for nursery"*  
**(Janice)**

The extracts above show how caregiving for the children became a dominant part of their lives and priorities, and as we have seen throughout this chapter; how the carers placed great emphasis on ensuring the children's needs were being met. Although the circumstances of other carers meant that leaving paid work was not considered the

best option, they still renegotiated their home and working lives around childcare responsibilities. As Shannon explains, she and her husband worked shifts so they could share the school run during the mother's sentence.

*"My husband's doing nights and I work days while we've got the kids [...] my husband will take the kids to school, and I finish work at half 1 and go get them [...] I won't give my job up cause I'm 25 years next month in my job, it's the pension at the end of the day"* (Shannon)

Like Shannon, another grandmother in her 50's Shelia, was nearing retirement and was also concerned about the impact that leaving paid work would have on her pension. These age-related concerns were predominant in the narratives of grandparents who were approaching retirement, and had to consider their future earning capacity. Shelia goes on to explain how caring for her grandson had put an additional strain on their finances, which further supports her decision to stay in paid work.

*"Our money is really stretched, now we're eating into our savings to take him away and do things and to pay for"* (Shelia)

Carers also revealed having to be careful with their money as some had experienced a loss of income when the mother had been making significant financial contributions to the household before being imprisoned. For instance, Daniel's wife lost her job when she went to prison, which left him struggling to manage everyday costs and basic amenities, such as providing food for his daughters.

*"We are to be fair struggling financially, like money-wise, since their Mum lost her job [...] I have to find the shortfall and obviously feeding the girls and money in the car and money in the house and stuff like this it's a nightmare"* (Daniel)

For others, this loss of income was not only in the form of the mother's paid work, but with regards to her being the recipient for child benefits. Kristen explains how the mother's welfare support was cut off when she went into prison, whilst neither she as

the mothers' cousin and the main caregiver to the younger child, nor Lucy as the grandmother and main caregiver to the older child were receiving any additional financial support. In the exchange below, Lucy and Kristen are describing how they are struggling through together, pooling resources and carefully choosing what they spend money on when they go shopping.

*"Lucy - we've not received a penny*

*Kristen – no financial support whatsoever and they stopped the mother's benefit on the day she got convicted and there's been no concern for the kids [...] when you go shopping and stuff you get what you need whereas normally you'd chuck a few extra bits in the trolley*

*Lucy – we're just muddling through ourselves" (Lucy and Kristen)*

Other family members tried changing the name of the recipient for the child benefit so that they could access this additional financial support – and whilst one grandparent, Derek, had been successful in receiving child benefit, he describes how the five month wait while this was being approved, placed a large strain on their pensions.

*"It took us the best part of 5 months to swap over all the child benefits [...] there were letters going backwards and forwards between us [...] and with both of us on pensions and one thing and another it was a bit tight for about 4 or 5 months" (Derek)*

Whereas the extract below illustrates the difficult process in organising child benefit, as at the time of interview another grandparent, Janice, was three months into the process and still having considerable trouble trying to get it sorted.

*"I'm sick of phoning the child benefit, they've sent me the forms out, I've filled them in, I've explained to them, the mother's wrote to them [to say] it's alright to pay me [and I've heard] nothing" (Janice)*

The carers reported how child benefit processes were painstakingly slow and frustrating, and in some cases, described how they had expected someone from a statutory agency, such as social services to automatically contact them about the children when the mother was imprisoned. For instance, in the exchange below grandparents Jasmine and Terry were asked about receiving support; and their response demonstrates how they had expected that someone would have been in contact, whilst being equally shocked and disappointed when this did not happen.

*“Interviewer – has there been any assistance for you, out here, on the outside?”*

*Jasmine – Nothing! No social help, no welfare, nobody has knocked on our door [...] we could be mass murderers, I’m not being funny, that child has not been looked at and I’m not happy with it, that is wrong*

*Terry – they don’t know who we are” (Jasmine and Terry)*

In other instances, the family approached social services and asked for support. Though, for Janice, this came to no avail because her caregiving was subsequently categorised as an informal agreement between her (the grandmother) and her daughter (the mother). As the children were not in danger, and their household income was above the threshold for financial assistance, social services were unable to offer Janice any financial help.

*“I actually rang them and asked if they could help cause I’m a nursery nurse and I wanted the baby in nursery with me, ‘could they help with money wise?’ and [they said] ‘no, you’ve done a private arrangement with your daughter, are you on benefits?’, ‘no’, ‘do you, does your partner work?’, [yes] ‘well then you’re alright, you don’t need our help and we know the children aren’t in danger’ and that’s what happened”*  
**(Janice)**

The caregiver's difficulties in gaining financial help are likely to have occurred because there is no official body responsible for prisoners' families in England and Wales (Williams *et al*, 2012), leaving family members with little guidance, provisions or access to additional financial support when a mother is imprisoned. A later chapter (see chapter 7) also disentangles the costs associated to remaining in contact with the mother in prison, which may further burden family and friends if they are supporting her financially with the cost of phone calls, buying stamps and with the travelling costs of visiting.

### ***Legal guardianship***

Some carer's wanted to identify and confirm what parental responsibility they had in the mother's absence – and especially when the children had moved into their homes. This was an issue for the caregivers in at least eight families where they were not the biological parent or legal guardian of the children. Although a mothers' parental responsibility is not necessarily removed when she is imprisoned in England and Wales<sup>90</sup>, for practical reasons mothers must rely on the caregivers to make decisions on a daily basis (see chapter 5 – mothers discuss decision-making). Yet despite having an informal agreement with the mother, these family members experienced difficulties in everyday settings such as medical and school environments because they did not have legal parental responsibility. For instance, Shannon recalls how difficult and frustrating it was to try and change her grandchildren's home address at their Doctor's surgery.

*"It were hard to change their address at the Doctors when I phoned [...] she said 'well we can't do 'owt about it, you need to be a legal guardian' and I said 'I'm their bloody Grandma at the end of the day it's not like I'm a stranger [...] children are children and they can get poorly and I said I've got 2 with a medical condition so what do I do then?'" (Shannon)*

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<sup>90</sup> This is different in the United States – where in some jurisdictions being imprisoned automatically removes a mother's parental status (Enos 2001; Brown and Bloom, 2009, see chapter 3). It may also explain why research in the US found that grandparents did not seek legal guardianship for the mother's child - which is contrary to the findings presented here.

In experiencing issues of this kind, the caregivers researched how to become temporary legal guardians for the children in the form of a Residency Order (RO)<sup>91</sup>. They discovered that this process would cost too much, which is consistent with earlier findings that indicated the caregiver's strained financial situations. Although two grandmothers, Janice and Annette chose to seek advice from two different sources – and received very different estimates - their narratives regarding the cost of the RO and their ability to pay for this, are very similar.

*“So I’ve been to see a solicitor [...] cause I wanted to get residency [order] but the thing is, I can’t afford it, it’s 6 grand, it’s 6 thousand pounds”*

**(Janice)**

*“I said to [social services] ‘well, for example, if we would do this [residency] order, how much would it cost us?’, ‘oh between £1000 to £2000’ so we haven’t got this money to do it”* **(Annette)**

It was clear that there was little support financially or practically to help these grandmothers gain temporary parental responsibility and make the caregiving arrangements legally binding. This is despite the challenging circumstances facing these carers as we have seen in their daily lives; in their homes, their social lives, work patterns, and strained financial situation. The following section builds on these findings, illustrating how these daily adjustments also interfered with, and changed their relationships and interactions with other members within their families.

## **Managing Relationships**

The carers identified how their family relationships were critically important to them, and acknowledged how the impact of the mother's imprisonment had rippled throughout the wider family. In many ways this was reflected in the interviews, as 24

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<sup>91</sup> A Residency Order has since been replaced by Child Arrangement Orders. These orders decide who the child is to live with and/or who the child will spend time with, and can be granted to more than one person whether they live together or not. If a child arrangements order states that the child will live with a person, that person will have parental responsibility for that child until the order ceases – for more information see <https://www.cafcass.gov.uk/grown-ups/professionals/child-arrangements-orders.aspx>

family and friends came forward to take part in the research and shared their experiences (see chapter 4 for more information). Building on previous commentaries on familial imprisonment (Loucks, 2005; Codd, 2008) this indicates how maternal imprisonment is experienced as a 'family sentence'. What this theme demonstrates is on the one hand, how crucial social networks and relationships were in supporting the caregiver financially and practically, whilst on the other hand, revealing how the disruptions and adjustments also created tensions within families. It also explores how and why the caregivers remained motivated to support the mother-child relationships.

### ***Support from within the family***

The caregivers revealed how important their support network had been since the mother's imprisonment, and talked about the ways in which they had been helping them emotionally, financially and practically. There was a sense that family members and friends pulled together during these difficult circumstances and worked collectively to support one another, and ensure the mother's children were well cared for and that the carers were coping. This support did not generally come from the children's biological fathers who were typically absent (see chapter 4), but akin to previous studies (Codd, 2002, 2008), mostly from other women in their social circle. Kevin explains how this was effective as he felt lucky just knowing that his family were there should he need them.

*"I'm very lucky because I've got a great family and you know, they're always there to support me, if I need it, like I said everyone is asking if I'm ok" (Kevin)*

In a similar way, Lucy explains how she would not have coped looking after her two grandchildren without the help and support from Kristen and Kristen's mother who assumed care of her youngest grandchild a few weeks after the mother was imprisoned - when they realised Lucy was feeling overwhelmed and struggling to manage everything alone.

*"I just think if it weren't for Kristen and her Mum I honestly, sometimes I've even thought I wouldn't have been able to cope" (Lucy)*

Another way this support was given was through the sharing of financial resources, which was necessary in many families owing to the more challenging economic situations as discussed earlier in this chapter. Daniel described how he was struggling financially with the everyday costs associated with running the home and in the extract below he explains how his father helped by taking him grocery shopping.

*"I've got the backing of me Dad, me Dad just sometimes pops round to see if I'm alright and that's when I'd say 'well we're struggling for food and stuff' and he'll go and take me shopping" (Daniel)*

Family members also supported the caregiver in practical ways and mostly by helping with childcare responsibilities. For Janice, having family members and friends to help with childcare allowed her to continue working 15 hours a week; as the mother's best friend Lorraine, her sister-in-law and son took turns in looking after her baby grandson while she was working.

*"It's lucky that I've got a good support network of Lorraine and some of my [family], my other son and, because he works 2 until 8 at night so he'll come and look after the baby while I go and do my 3 hours a day [work] but my sister in law will help as well" (Janice)*

Likewise, Martha and Malcolm relied on their other daughters and other relatives to pick their grandson up from school and look after him once a week while they made the 160 mile trip to visit their daughter in prison. Without this support, tensions may have arisen in their role as parents to their 20 year old daughter who was in prison and away from home for the first time – and as grandparents to their five year old grandson who they cared for. Other scholars have conceptualised this management of two family members competing for time and resources, and dual-facing responsibility as "double duty" (Turanovic *et al*, 2012) and "women in the middle" (Brody, 2004; see



chapter 3). Although the challenges associated to visitation are critically examined in a later chapter (see chapter 7), it is important to note here how without the support of their extended family, these grandparents would have struggled to balance their childcare responsibilities against the limited opportunity and time they could spend with their daughter.

*“If it [the prison] wasn’t 80 miles away and all day and we’d be back for our Grandson [...] we come up [to the prison] every week now so we have to arrange for someone to pick up our Grandson from school and someone to look after him until we get home, you know and normally we get home and he’s asleep” (Malcolm)*

The families’ accounts showed how invaluable a strong support network could be for carers as they navigated these demanding and complex times. However, in some instances tensions arose within family relationships.

### ***Challenges within the family***

Renegotiating their identities and daily lives had repercussions on the carer’s relationships with other family members - as they too were attempting to adjust aspects of their everyday practices and routines in response to the changed environment. Research from the US found that tensions arose when a family contacted and supported the prisoner against the wishes and approval of the wider family (Turanovic *et al*, 2012). However in a different way, this study identified tensions in the relationships between the caregiver and family members because of the substantial readjustments that had taken place in their day to day lives. These challenges were observed in relationships in their home, with partners and their own children, as well as in other familial relationships, including other grandchildren, and with the biological fathers of the imprisoned mother’s children.

Two grandmothers discussed how their relationships with their current partner were being challenged – and in both instances these husbands were not biologically related

to their daughter in prison or the grandchildren they had assumed the care for. Miriam recalls the shock of assuming immediate care for her granddaughters, and considered this to have been more difficult as she and her husband had not expected to have children at their age and life stage.

*“It was a shock because obviously my husband’s children are grown up, he’s got two children who have grown up and well my daughter is also [grown up and] so we could do what we liked within reason, but he has come round to it though [...] obviously he likes to have a life too [...] and I can’t say ‘no you can’t do any of that cause we’ve got three small children’ because we didn’t have those children together, it wasn’t a choice for him [...] but he is very good with the kids this is normal life now; a family of five in so much” (Miriam)*

Miriam considers how gradually the caregiving responsibilities had been negotiated into their everyday lives, having described their experiences of caring for over a year at the time of interview. However, Janice was still grappling with the changes in the relationship with her partner three months into looking after her grandchildren and explained how this was causing more arguments - mostly relating to the children.

*“It isn’t the same but we’re alright, but it’s not, we never used to really argue but now there’s little things and they come up and it’s all about the children” (Janice)*

Another area of tension within the home was identified as the carers described how their relationships with their own children had changed, and often become more strained. For instance, Kristen recognised how assuming care of the mother’s 11 month old, meant that a lot of her attention was focussed on him, and diverted this away from her own children which caused them to feel jealous.

*“I’ve got a little girl who’s 7 and a little boy at 5 and they idolise their cousins but when it comes to the baby [...] obviously babies take up a lot*

*more time so I think they felt like their noses had been pushed out a bit and then when he were screaming in night, like with his teeth, the kids were waking up [...] so there is going to be resentment and things"*

**(Kristen)**

Similarly, Rebecca noticed how having her baby granddaughter in the house was challenging for her youngest daughter who was aged 10, and how she attempted to overcome these concerns by creating special time for her daughter and ensuring she was coping with the adjustments in the home.

*"My daughter is the younger one of the two she found it the hardest because she's always been the baby and I think she found my Granddaughter coming in, being a baby, more challenging than my son did, my son just sort of went with the flow and we've had to make special privileges with my daughter so I make special time to have with her and make a point of that being 'this is my special time with you' and that there's nobody else involved"* **(Rebecca)**

The home was not the only site of tension for family relationships – as grandparents felt there had been disruptions in their relationships with their adult children who no longer resided with them who sometimes also had children of their own. Assuming full-time care for their imprisoned daughter's children, changed their role, availability and resources as grandparents to other relatives which aligns with other research into grandparent carers (Jendrek, 1993; Hayslip and Kaminiski, 2005). For instance, Shelia felt cheated as a grandmother because she could not spend the same amount of time or money on her two grandsons, because she felt she had to prioritise the grandson in her care. As the extract demonstrates, Shelia considers her other grandson to be missing out but can see no alternative.

*"When I go out shopping I'm buying my Grandson a lot of clothes, 'cause I've got to buy him his clothes [...] the other one is missing out and I think my son feels like I'm spoiling my Grandson and not his son when in fact I*

*keep trying to make him see that I have no choice, I've got to do these things [...] and he's got to understand that I haven't got the money available for like two of them, I can't do it for two of them, I can barely stretch to do it for one of them. So the little money we had put away for our pension, that's going to be non-existent [...] I feel like I'm being cheated as a grandmother. I really don't feel like I've got the opportunity to enjoy two grandsons like what other people have got" (Shelia)*

Other difficulties were experienced by grandparents in their relationships with the children's biological fathers. As chapter 4 explains, in the families where the father did not assume full-time care of the children in the mother's absence, they were likely to have been in prison also, have irregular or infrequent contact with their children, or completely absent in their lives. This may explain why many of these grandparents described contentious relationships with fathers; either because they blamed them for the mother's imprisonment, or because they were viewed as being unreliable as they did not maintain a stable relationship with the children. Unlike the mothers who were their biological children, and with whom they had a vested interest, the fathers were not necessarily viewed as being a part of *their* immediate family. Nevertheless, as temporary caregivers to the children, the responsibility to facilitate the father-child relationship fell to them and in most instances they tried to support this. Lucy felt obliged to maintain this relationship because she feared losing her family if she did not facilitate the father-child contact during his prison sentence, even though she blamed him for her daughter's imprisonment.

*"It's all his fault but I've got to, 'cause my daughter loves him to death and if I fall out with him then, well I don't want to lose my daughter and my grandchildren so I'm just torn all the time" (Lucy)*

Jasmine and Terry were similarly feeling torn because although they were willing to facilitate the father-son relationship, they also found it frustrating that his father would often show up unannounced and take their grandson without planning this in advance.

*“I mean we’ve been stuck in a difficult situation because we tried to appease him and you know, we’re not going to stop him seeing his son, all we ask is that he asks us if he’s available at such-a-such-a-time because he could just turn up here, he could turn up now” (Terry)*

Some of Jasmine and Terry’s anxieties above also refer to the uncertainty surrounding the legality of their guardianship because they did not have parental responsibility for their grandson – unlike the biological father who is automatically given this status as a named parent in the birth certificate. Similarly other caregivers were experiencing these tensions; as the biological father of one of Kevin’s step-sons fought for, and won custody days after the mother’s imprisonment, and the biological father of Janice’s youngest grandson had threatened to take custody of him. This illuminates the sensitive and intricate web of familial relationships that the carers had to manage outside of prison, demanding more time and energy in addition to the already difficult caregiving role they had assumed in the mother’s absence. Another relationship they were tasked with managing was mother-child contact.

### ***Mother-child relationships***

There was an overwhelming agreement that children should be with their mothers and that fostering positive mother-child relationship was crucial to their development and family lives during maternal imprisonment. These beliefs reflect dominant social constructs around motherhood and the idealised role of a ‘good mother’ (Carlen and Worrall, 2004; see chapter 2) as well as being the premise behind Mother and Baby Units (MBU’s) which can permit mothers with young children (up to 2 years) to reside with them in prison (see chapter 3). However, only two children in this cohort resided with their mothers on a MBU, although another 3 could have been eligible based on the children’s age and mother’s offence<sup>92</sup>. Lucy was anxiously waiting to hear whether

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<sup>92</sup> Eligibility criteria of MBU’s require a number of areas to be fulfilled, including age of the child, nature of the mothers’ offence, her offending history and other personal and familial circumstances (see chapter 3) followed by the successful approval from a multi-disciplinary board (committee) comprised of prison staff and social workers.

her 9 month old grandson had secured a place on MBU as she felt this mother-child separation was extremely detrimental for their bond.

*“It’s the worst punishment in the world to take a mother away from her children [...] I’m worried about whether she’s going to be able to bond with him again [...] when she first got convicted [she was told] that after 4 weeks her baby would be going in on the Mother and Baby [Unit] that was what 2 months ago and he’s still not in!” (Lucy)*

Similar to previous research, this indicates how caregivers support the mother-child contact in an attempt to keep the family together (Tasca, 2016; Denby, 2012). This was particularly evident when the caregiver had a vested interest in the mother’s continued participation in mothering practices, for instance when it was their own daughter in prison (Tasca, 2016) or when they hoped the mother would relieve them of the children on her release (Hanlon *et al*, 2007). Although these may have been underlying motivations for the caregivers in my sample, they also appeared to support mother-child contact so she could continue doing mothering and remain a part of her children’s lives - to try and offset the negative effect that the separation may have on their relationship. As one grandmother caregiver explains, the prison environment created a distance in the mother-child relationship, having altered aspects of her daughter’s identity; making her seem less like the mother she was before.

*“It’s not real where she is, it’s like she’s living somewhere else and it’s not like she’s my daughter or even his Mum anymore” (Shelia)*

Other caregivers supported the mother-child contact because they felt this was important for the children, and wanted to prioritise their needs and best interests. One way they thought this could be achieved was through frequent and consistent contact with the mother and so Ava explains how she would engage in weekly prison visits if

they were available<sup>93</sup> - even though she appreciated how this would involve an increased strain on her.

*“It would be a pain going there [to the prison] every week, but for her children to see their mother, I would do it” (Ava)*

All the families were committed to facilitating mother-child relationships, which is likely because most mothers in these families were serving their first sentence. As chapter 5 indicated, the caregiver-mother relationships can become increasingly strained with time, and if the mother returns to prison. Nevertheless, the families also experienced terrible disadvantages through their association to the imprisoned mothers as they recount awful experiences of stigma in the final theme below.

### **Managing stigma**

The previous chapter (chapter 5) largely focussed on the mothers’ perceptions and experiences of stigma as they were considered to have transgressed as law-breakers and were subsequently labelled as ‘bad mothers’. Building on these findings, the caregivers’ experiences of stigma suggest this discriminatory treatment reaches past the mother and is ascribed to her family members as well. Goffman (1963) has called this ‘courtesy stigma’ and previous research on prisoners’ families has found evidence of this (Murray, 2007; Condry, 2007a, 2007b; and chapter 3). Evidence of stigma was also identified as the carers described negative experiences of visiting the mother in prison from both the process and the attitudes of staff - which is examined in a later chapter (see chapter 7). Here we explore the damaging role that the media play in broadcasting the mother’s crime, the family’s experience of stigma and the associated fear of future stigma – including the strategies used to manage their ‘spoiled identity’ (Goffman, 1963).

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<sup>93</sup> Chapter 7 critically explores prison visits.

### ***The media***

Many families revealed horribly distressing experiences of reading about the mother's crime in the media, often in local or national newspapers or on social media platforms and the internet. This included specific details, such as the mother's name, and sometimes additional information about her maternal status, employment details or home address. Other scholars have commented on the harmful role of media outlets for the allocation of stigma for prisoners and their families (Boswell, 2002; Murray 2005; Codd, 2007a, 2008; Shamai and Kochal, 2008). However, a particular concern for the caregivers was the impact this attention could have on the children in their care, who were innocent of any crime. Earlier in this chapter we saw how the caregivers were protective of the children through their attempts at prioritising their needs, but as Lucy suggests, this is somewhat undermined by the media when they publish the articles without any consideration for the children's feelings.

*"It's alright for us 'cause we're adults, but there's children involved as well you know and they don't take their feelings into account"* **(Lucy)**

Similarly, there were local and national news reporters outside Madeline's home following the trial and guilty verdict, and she felt this was inappropriate considering her two young grandchildren were in the house at the time.

*"It was all over the papers, there was reporters down here and 2 small children living here [...] and it was days before they would let up"*

**(Madeline)**

What was particularly difficult for the families was the language and representation of the mother and her crime on these media platforms. For instance, Claudia describes how the front page of the local newspaper labelled her daughter as a "killer" despite her receiving a custodial sentence for the manslaughter of her abusive and violent partner. As the extract details, her friend Emily received the newspaper in the post first, and subsequently ran to Claudia's house to prevent Claudia's grandson from reading the headline and seeing his mother labelled in such a disparaging way.



*“Claudia - they called her a killer, and Emily come running down didn’t you, to stop the newspaper from coming to the house*

*Emily – yeah, they brought [the newspaper] to me and I just saw the headline straight away and I went out [...] the delivery man had already drove off and I were shouting ‘I’ll have to go to Claudia’s’ [...] cause you don’t want baby seeing that do you? With her picture on as well”*

**(Claudia and Emily)**

Likewise, Terry was especially frustrated by the negative representation of the mother in his family because it was published online which meant it could have an infinite lifespan and be available to people, including his grandson and future employers in the future.

*“The story that I read, none of that happened, it was a load of rubbish [...] and her son’s going to read that, he’s going to because it’s on the internet and you know, once it’s on the internet, it’s on the internet, it’s never coming out. So one day he’ll google his Mum’s name and he’ll find out ‘oh she’s an animal, she did that’ and so you know it is wrong”*

**(Terry)**

The nuances of these negative media representations can be fully appreciated when we consider how they ignore the children’s human rights and especially with regard to not facing discrimination for their parent’s behaviour or status (United Nations Convention on the Rights of the Child (UNCRC), 1989; see chapter 2). This is especially relevant as the next section focuses on the caregivers’ experience of being stigmatised by others in their community following these media reports, and their fears of future sanctions.

### ***Experiencing and fearing stigma***

The media stories brought about disparaging remarks, behaviour and attitudes by individuals in the family’s local community. Shelia recalls how following the newspaper

reports, they experienced problems at her grandson's school because of their association to the mother. Condry (2007a, 2007b) considered this form of stigma as "kin contamination", as prisoners' family members were negatively labelled because of their relationship to the law-breaker. In the extract below Shelia considers how both staff and parents treated her family differently, and how her grandson was being bullied, which eventually led to him leaving this school.

*"[It was] in the newspapers even before she was sentenced [...] come to the September when she's been convicted and it was all over the newspapers again [...] the papers had a picture of her, it was on the internet and everywhere [...] I don't think the school wanted him there once they knew all about his Mum, 'cause he was in like a little private school and they just wanted him out from day one [...] obviously other parents didn't like the thought of their son going to school with like her son and that [and] they just made it really difficult for him, and basically he was bullied" (Shelia)*

Derek and Madeline also experienced disapproval by members of their village, and they describe in the exchange below, how people they had known for many years would cross the street to avoid interacting with them.

*"Madeline – it was extremely difficult for all of us really, because people that we've known, I mean Derek was born here, people that he'd known all his life and we've been married 40 years just avoided you or*

*Derek – they would actually cross the street [...] if you were walking down street, they would actually cross the street to go to the other side instead of walking along and saying 'hello' sort of thing" (Derek and Madeline)*

The carer's also described hostility on social media and community pages where news of the mother's crime were publically shared and discussed. In some instances they

had decided to stop accessing, or removed their accounts, on sites like Facebook to avoid receiving and reading discriminatory comments. Like in Condry's study (2007), this research also found that parents of the prisoners experienced stigma at another level and through the allocation of blame for the failure to produce law-abiding citizens, known as "kin culpability" (see chapter 3). Martha explains how people in her local community would either look at her disapprovingly, or ascribe some of the blame and responsibility to her as the parents.

*"A lot of people looked at us as if to say 'well you're the parents', you know, that's another thing we've had 'well you're the parents' and I've said 'yeah we might be the parents but she's a 20 year old girl now'"*

**(Martha)**

Consequently, the families were fearful of future stigma and so they attempted to manage their 'spoiled identities' (Goffman, 1963) by carefully and sensitively controlling the ways in which their members were represented to avoid negativity in social environments. For instance, Lucy explains how she was worried that other parents would stop their children from playing with her 6 year old daughter at school.

*"I was even frightened that other Mum's wouldn't want their little girls to play with my daughter it's just like the ripple effect, you chuck a stone in a pond and it goes on and on"* **(Lucy)**

To overcome this, Lucy and Kristen explained how they worked to defend the mother's identity and an example of this is found in the interview as they managed the mothers representation to me – as the researcher – through their descriptions of her as a 'good mother' and hard working. Goffman (1963) has called this behaviour the "passing as normal" strategy and is used to reduce stigma by providing alternative identity and is an approach used by other stigmatised individuals in society (Rogers, 2000; Hughey, 2012).

*“She’d always worked, she’d always been a good girl always went to school, never been in trouble [Kristen – brilliant Mum] or anything like that, oh fabulous Mum” (Lucy)*

Other strategies used by the families to reduce stigma was through their selective disclosures (Hughey, 2012) as in many instances the carer’s decided not to tell the children the truth about their mothers’ imprisonment. In Miriam’s narrative, she explains how she had decided not to tell her young granddaughters because she feared that her eldest granddaughter would tell everyone at nursery, which would lead to them being treated differently.

*“She’d go into school and say ‘my Mummy’s in prison’ and she’d think that was fine and I don’t want that for her, people would be saying [things] and talking behind her back and [...] they don’t know why she’s here or the circumstances and you and I know that she would be tarred with a brush” (Miriam)*

Researchers in the US have suggested that the decision not to disclose the imprisonment to children by the mothers themselves (Gilham, 2012) and the families (Mignon and Ransford, 2012) was because they were ashamed and embarrassed. Whereas, in this study, the non-disclosure was chosen to protect the children and as a reflection of fearing stigma from outside of the family. For instance, a slightly different non-disclosure tactic was adopted by Ava through the ruse of a “cover up story” (Hughey, 2012) which she similarly used to guard against any negativity or stigma at her granddaughter’s nursery by deciding to tell the staff that the mother was unwell, rather than informing them of her imprisonment.

*“I said that I would be bringing her and picking her up [from nursery and] I went and said ‘look her Mums not well’ because I didn’t want to discuss family business with them” (Ava)*

The careful way in which carer's adopted different methods to manage stigma in these social situations – through selecting particular narratives and representations – was a coping mechanism in order to keep negative judgments at bay; and especially away from the children. To understand the need for this more fully, it was found that the prevalence and nature of this 'courtesy stigma' (Goffman, 1963) was so severe in families that it was having an effect on their future plans – specifically by shaping and discouraging the mothers' from returning to the local area on their release from prison. As Claudia explains, her daughter was unsure whether she would move back to her hometown on release because she feared judgement in the local community, because that was where her crime took place.

*"I think eventually she wants to move away, I think because it's happened here she thinks people aren't going to like her and will judge her"* (Claudia)

This is likely to have implications for the mother's ability to resume care for her children, and her resettlement process, given that this could lead the mothers to move away from family members who may be well-placed to provide support. We can also expect that the mother's transition back into the family is likely to be precarious and challenging as roles, responsibilities and daily practices are subjected to further renegotiations and changes as things settle into a routine. Furthermore, this chapter has illustrated how the carer's have adapted their daily lives, routines and identities to look after the children, and in doing so, have forged strong relationships with them. If at the end of the mother's sentence, the mother resumes care for the children and moves away, it is possible that many of these grandparent-child relationships could suffer. Therefore, it is clear that this stigma could have severe and long lasting implications for the children and family over time.

## **Summary**

The mother's imprisonment had repercussions throughout the whole family, and especially for the caregivers who had to renegotiate many aspects of their daily lives

and relationships in order to manage their additional responsibilities. At court, the caregivers were shocked that the mother was taken away so quickly, and at the little information and support available to them, or seeming lack of concern for the welfare of the children left behind. Additional guidance would be useful given that the first few weeks following the mother's imprisonment were found to be a particularly stressful and challenging time for the caregivers. This was also because many of the caregivers had not anticipated that the mother would receive a custodial sentence which meant that most families had made few preparations for this eventuality.

Assuming care of the mothers' children involved a sudden renegotiation of the carer's daily lives, including their identity and their everyday 'family practices' in the home, in social activities and in paid work. Yet issues arose in establishing the legal status of their temporary guardianship, whilst not affording the costs associated with a Residency Order (RO). This was linked to the caregivers' deteriorating financial situations and their struggles in accessing financial support through Child Benefit channels. The repercussions of these renegotiations in the caregivers' daily lives were also experienced more widely within the family. Families described how members worked collectively to support one another through these difficult circumstances, providing financial and practical support, but that in some cases, the additional caregiving responsibilities had caused some tensions in their familial relationships, as it had altered their home environment, and created more demands on their time and resources. Nevertheless the caregivers demonstrated a strong commitment to supporting and facilitating the mother-child contact during the custodial sentence.

The caregivers also reported experiences of stigma within their community, which mostly occurred following damaging media reports, which they felt had no consideration for the children involved. Other caregivers also feared stigma, and were attempting to manage the negative representations of their families through different strategies. Even though they were charged with the responsibility of many aspects of the mothers' maternal and practical lives, including care of her children and organising her home and finances, it was also revealed how there was very little support and

information available to the caregivers as they grappled with their new familial circumstances. These experiences provide evidence for the concept of a 'family sentence', as it is clear that the mother's imprisonment had profound and adverse repercussions for the lives and experiences of these caregivers, and several other family members.

The next chapter critically explores the facilitation of processes from the perspectives of both the imprisoned mothers and the caregivers within the CJS; and particularly examines communicative channels in the prison, with the aim of revealing the challenges facing these members as they attempt to sustain family life.

## Chapter 7 - Prison processes; shaping family contact

The previous two empirical chapters have provided detailed descriptions about the way prison significantly disrupts family life, showing how a mother's removal into prison had substantial implications on the daily lives and practices of several members. As we have seen, accessing and sustaining a maternal role and identity whilst confined to prison was a daily challenge for the mothers, whilst the caregivers outside had to suddenly respond to the mother's absence, and re-organise their everyday roles and responsibilities as they assumed temporary care of the children left behind.

To try and understand how family life operated within and around the prison regime, the interviews also explored how families were attempting to keep in contact, and encouraged participants to reflect on and describe their experiences of staying in touch throughout the sentence. Prisoners can have contact with family and friends outside of the prison using telephones, visitation and mail; and Her Majesty's Inspectorate of Prisons (HMIP) have suggested that "regular and easy access" should be available to all forms of communication (HMIP, 2016). Several government documents (Social Exclusion Unit (SEU), 2002), policy initiatives (Home Office, 2004) and prison policies (Prison Service Instruction (PSI) 49, National Offender Management Service (NOMS), 2011) have seemingly advocated the maintenance of family ties between prisoners and their relatives. However, as chapter 3 explains, much of this is motivated by the reducing re-offending agenda, and the presumption that family relationships can help the prisoners desist from criminal activities.

Alternatively this research has learned how contact is crucial for kin relationships, and for re-constructing meanings and identities in a context and environment that is different, challenging, and fraught for those responding to, and attempting to survive, the punishment that maternal imprisonment inflicts. On the one hand it was clear that this communication was highly valued by all members as a means to continue *doing* 'family practices' (Morgan, 1999) and to 'display' an on-going commitment to other family members (Finch, 2007) by sustaining communication as often as possible during



these difficult times. These findings align with research from the US which found families were committed to remaining in contact (Barnes and Cunningham-Stringer, 2014; Tasca *et al*, 2016). On the other hand, their narratives pointed towards serious inadequacies; as families indicated how institutional and informational barriers made it especially difficult for them to establish and maintain contact with their separated relative. Consequently, this chapter brings together the narratives of both cohorts in the research sample, the imprisoned mothers and the caregivers, to critically explore their experiences of prison processes; and the many failures of these in supporting family ties from both sides of the prison wall. In doing so, it is divided into three sections as outlined below.

1. **Telephoning home** – critically explores how telephone contact was difficult to organise on the mother's reception to prison in the first days as well as challenging to sustain during the sentence.
2. **Visiting Mum** – details the diverse and difficult challenges of visitation; from organising the visit, booking and travelling to the prison, to search procedures and the visiting environments on social visits and family visits.
3. **Other forms of communication** – critically examines the features of three additional forms of communication that are available to families in some prison establishments, such as mail, email and Childcare Resettlement Leave (CRL)<sup>94</sup>.

### **Telephoning home**

Prisoners cannot receive incoming calls and are not permitted a mobile phone with them in prison (HMIP, 2016). Instead the prison provides a one-way telephone system and prisoners are issued a PIN account<sup>95</sup> which means that throughout the sentence

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<sup>94</sup> Childcare Resettlement Leave (CRL) can be granted if the prisoner provides proof that he/she has sole caring responsibility for a child under the age of 16. CRL permits the primary carer to have contact with their dependants outside of the prison environment – for a day leave or overnight stay at home (Prison Service Order (PSO) 6300, National Offender Management Service (NOMS), 2012).

<sup>95</sup> See chapter 2. Outgoing calls can only be made to a designated list of numbers that have been added to the prisoners' PIN account, and verified by prison security. This is for public protection; as for instance

the onus is on the mother to finance and sustain telephone calls home. This also means that when a mother is first imprisoned, family members outside must wait for her to telephone them. As chapter 6 illustrated this can be a challenging and fraught wait – especially as families are given no opportunity to meet and discuss childcare (and other) arrangements post-sentencing at court, and often do not know *which* prison she has been detained in. Thus, in critically exploring the family's experiences of telephone facilities, this section examines the process of receiving and/or making the reception call home as well as the challenges in sustaining telephone contact throughout the sentence.

### ***Reception call***

Contrary to prison policies which state that within the first 24 hours newly received prisoners should be given a reception telephone call (PSI 49, NOMS 2011) only one-third of the families reported making or receiving this call. Yet this initial contact is crucial - as families are effectively excluded from all processes that follow the mothers' sentencing as they are given no opportunity to meet or discuss their new circumstances. Therefore, when families were given this early contact they described how talking to their loved one allowed them to relay important information, for instance about the children or household issues, as well as confirming which prison the mother was detained in<sup>96</sup>, visitation procedures and the mothers' prison number<sup>97</sup>. They also explained how this phone call helped remove some of the stress and anxiety surrounding the sudden separation.

However, in most instances the first telephone call was made a few days after the mother was received into prison custody. Daniel explained how distressing it was waiting to hear from his wife, and considered that the telephone call was too brief

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prisoners are not allowed to add telephone numbers of their victims (Prison Service Instruction (PSI) 49, NOMS 2011).

<sup>96</sup> Chapter 6 found that often families did not know which prison the mother was being taken to from court until the first phone call.

<sup>97</sup> A personal and identifiable prison number is issued on entry to the establishment and stays with the individual prisoner throughout their sentence. Family members need to recite this prison number when booking visits or writing letters to the prisoners.

when it was eventually made; leaving him unaware of how to navigate the prison system.

*“A few days went by [...] we didn’t hear anything and I would have thought she would have rang but there were no telephone call at all and I thought ‘well how do I know where she is and if she’s alright?’ Anyway the phone rang and I answered it and she said ‘oh it’s only me’ [...] and so I said, ‘well where are you?’ and she [told me] and said ‘this is me prison number’ [...] and then she said ‘I’ve got to go now because my money’s running out but can you send me some money?’ so I said ‘well how do I get in to see you?’ and at that, the phone went dead”*

**(Daniel)**

Most mothers in this study and in previous research (Caddle and Crisp, 1997), were primary carers before being imprisoned, and this is reflected in the gender-specific Prison Service Order (PSO) 4800 on women prisoners (NOMS 2008: 9), which recommends that mothers should be given “at least one 5 minute phone call” to sort out familial responsibilities and other childcare arrangements. Yet as with Daniel above, Lucy similarly described how the first telephone conversation with her daughter lasted only 2 minutes, despite her having been sole carer to her two young children beforehand. Furthermore, this telephone call was only facilitated after Lucy made an emotional and distressed phone call to the prison seeking information because she had received no contact in the first week.

*“We didn’t hear a thing did we, in fact I ended phoning the prison up and saying ‘I’ve not heard, I’ve not heard from my daughter’ and I was crying [...] it were about a week [when she phoned] and the call were only about 2 minutes”* **(Lucy)**

The delays in establishing contact may help us to understand why carer’s experienced the first weeks like a bereavement (see chapter 6) as the imprisonment stopped all contact, completely removing the mother’s from their social worlds – and not just

physically - but also through virtual conduits. The uncertainty about the status or whereabouts of the mother following the imprisonment links to theories on 'ambiguous loss' (Boss, 2016) which is a particularly precarious form of loss whereby the absent person continues to live and exist, but emotionally and practically occupies a different physical space from those that love them.

Furthermore, similar experiences about not accessing the reception phone call were revealed in the majority of the families' stories showing how prevalent and widespread these issues were across different establishments in the female prison estate. This is concerning as these accounts provide insights into the inadequacy of these processes in six (nearly half) of female prisons currently operational in England<sup>98</sup>. Making the first weeks even more precarious and distressing, the families also reported problems in accessing a second telephone call in the first weeks, with mothers suggesting this was because they were unfamiliar with the prison regime and had been given little guidance during their inductions. For example, Vanessa was in prison for the first time and had put her diary with her children's numbers written in it in storage when she arrived, and then later realised she needed it in order to contact them. Whilst she worked to gain access to her diary, Vanessa could not establish telephone contact using the PIN phone for over a week, which she revealed was a traumatic time.

*"In my diary I have their phone numbers and my diary was in reception so I had to request my diary so that then I could get their phone numbers and then get them put on my PIN which I didn't know, so it was over a week [Interviewer – What was that like?] That was quite traumatic actually" (Vanessa)*

For other mothers establishing contact in the first weeks was challenging because the prison processes were slow. This supports recent findings by HMIP (2016) that similarly highlighted the frequent delays in the approval of numbers being added to PIN accounts. Kelly explained how it took a number of weeks for her PIN account to be set

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<sup>98</sup> HMP Holloway was closed in 2016; however there were 13 women's prisons in England during the fieldwork phase.

up which meant that she was unable to speak with her children and arrange for them to visit her.

*“It took ages to get like a PIN phone number and PIN credit so that I could make another call after that first call, it took about 2 weeks to get the phone number thing that you get [...] I couldn’t call or anything [...] it’s horrible because I didn’t know how they are or what’s going on or where they are or anything like that [...] and] I couldn’t call them to tell them when the visit was” (Kelly)*

These accounts provide important insights into how, and why, the initial separation period can be stressful for families as they are grappling with poor telephone facilities. It also points toward a lack of commitment by the prison service in acknowledging and accommodating family life during the first weeks of a mother’s sentence – contrary to popular policy discourse that pledges support for these ties (see chapter 3 for a critical discussion). Over time, the families were also struggling to maintain frequent and meaningful contact on the telephone, and overwhelmingly their accounts attributed this to the cost of telephoning.

### ***The cost of telephoning***

As prisoners can only make outgoing calls on telephones provided by the prison, a recurring issue for families was affording to finance this contact. It was especially problematic within the first weeks because new prisoners are automatically put at “entry” level in their Incentives and Earned Privileges (IEP) scheme which is towards the lower end of the four-tiered structure (also see chapter 2<sup>99</sup>). The IEP scheme specifies how much money prisoners can spend in the prison, which includes their PIN credit<sup>100</sup> and is based on their privilege status. Drawing on Goffman’s (1961) understanding of prison as a ‘total institution’ may help us to understand that these

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<sup>99</sup> “The Incentives and Earned Privileges (IEP) scheme was introduced in 1995 with the expectation that prisoners would earn additional privileges through demonstrating responsible behaviour and participation in work or other constructive activity” (PSI 30, NOMS 2013:5).

<sup>100</sup> Prisoners must also finance other items using the same pot of money, including; tobacco, toiletries, stamps and writing materials for mail as well as coffee, tea, sugar and sweet treats.

sites often restrict communication with the outside world, and especially how privilege systems that manage this contact, are an important mechanism to incentivise good behaviour. However, as Esther explains, by regulating how much money is spent on the phone credit, this process is simultaneously dictating the amount of time she could spend on the phone with her children.

*“In the beginning you don’t have a lot of money because you’re only allowed £10 entry level and stuff and you’re not getting wages [...] it was tight, and then when you’re making more money, and your IEP status changes you get more money so you can spend longer on the phone” (Esther)*

This is evidence that the mothers’ attempts at accessing and affording telephone contact with their children are being unfairly undermined by the privilege system within the prison service. Esther also hints at other difficulties in the first weeks as she explains how she was not being paid – and yet telephone contact can only be financed using earnings from prison work, or from money family send in (HMIP, 2016). This created further difficulties because it ordinarily took a few weeks for the mothers to secure a paid position in the prison, and receiving financial support from family members was unlikely because of the challenges identified above in the inadequate provision of reception telephone calls, and the limited opportunity to ask families for financial help; resulting in a catch 22 situation.

The expensive telephone tariffs were also considered to undermine the families’ attempts at staying in contact over time, and throughout the sentence. According to HMIP (2016), the average cost of £1 credit on the telephone in prison would equate to 10 minutes to a landline or 5 minutes to a mobile phone. As with previous commentaries (Prison Reform Trust (PRT), 2006), these rates compared to costs in the community were considered unreasonable, and Kevin explains why he thinks they were expensive.

*“It’s so expensive, phoning the house is 10p a minute and [...] what is the basic rate of any normal BT after 6 o’clock? It’s like a penny a minute so I don’t understand, we live in the 21<sup>st</sup> century you know, calling shouldn’t be that expensive” (Kevin)*

These high charges affected both the length and quality of the phone call, which as Sarah reports, limited the time she could spend on the phone with her four children and created more challenges in managing relationships with each of them.

*“I’ve got 4 children and because of the money that we’re on, it’s hard not being able to speak to the kids [...] you’re just rushing on the phone just so you can get [time] and squeezing every phone call out of that money you’ve got on your credit” (Sarah)*

Like Sarah, many mothers attempted to squeeze as much time out of their telephone credit saying that they would call their children as often as they could afford; suggesting how the high charges worked directly against the mothers as they attempted to (re)connect with their children. This is particularly unsettling as this contact is imperative for sustaining mother-child relationships and providing opportunities to *do* mothering (Morgan, 1999). Previous research with prisoners’ children in Europe has similarly found that the cost of calling could preclude parent-child contact (Sharratt, 2014). Frequent and quality telephone calls have potential to overcome some of the mothers’ anxieties and worries about being absent in their children’s daily lives and missing their key developments and milestones (see chapter 5). Yet the cost of calling may mean that telephone contact is less consistent and reliable for families, possibly undermining the mothers’ attempts at effectively ‘displaying’ (Finch, 2007) to their children and their carer’s that they were committed to continuing, or re-establishing their relationships. For the mothers beginning to rebuild their maternal identities and relationships – perhaps after several sentences

(for instance, see rebuilding group in chapter 5<sup>101</sup>) this sporadic contact could further exacerbate their already fragile familial relationships.

The high costs were also understood to affect the caregiver-mother contact. Chapter 6 illuminated how caregivers often assumed responsibility for many aspects of the mother's personal affairs during her sentence, such as her home and finances, which meant being proxies for the mothers in the community. Yet as Martha explains, the limited telephone credit shortened their contact and precluded them from successfully discussing and organising her daughters' banking situation.

*"She only gets a certain amount of credit, [so] phone calls have to be not even a minute sometimes [...] so we've got to cram everything we've got to say and listen to her within such a short space of time [...] like the other day we were trying explain about banking and things like that and you can't do that like within a minute; it's impossible"* **(Martha)**

One mother interviewed was from the travelling community and so she had no choice but to call mobile phones to speak with her children. As Kelly explains below, the additional costs associated to calling mobiles made it difficult for her to respond to and reduce her children's problems because she had limited time to talk with them.

*"Because we don't have landlines whatever phone we're calling, it's mobiles, so if there's a problem it's really hard to get it all out on the phone because the money just goes on the mobile, so it's a nightmare"* **(Kelly)**

Short and infrequent telephone contact prevented Kelly from feeling as though she could adequately support her children with their problems, and yet this role is generally deemed to be a central feature in 'good mothering' (Carlen and Worrall,

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<sup>101</sup> Chapter 5 identified two groups in the cohort of mothers who displayed different characteristics and experiences of mothering in prison based on their past familial circumstances; the disconnected group who were in prison for the first time and had played an active caregiving role before their sentence, and the rebuilding who reported substance misuse issues, had served previous sentences and had grown distant from their children and families.



2004). This indicates how poor processes directly alter and impede the women's attempts to mother from prison. Mobile phones were commonly used more by mothers when contacting teenage children because, as we would expect, this was an easier, more flexible and direct way to reach them. However these advantages had to be weighed against the difficulties in affording the higher mobile phone costs, and the shortened conversation that could be achieved. These findings suggest that contrary to HMIP expectations (2016: 5), the unreasonably high telephone tariffs do not allow mothers "easy access" to telephones.

### ***Telephone locations***

Most telephones are located on wing landings and shared between the residents in that area (HMIP, 2016). However, access to these telephones is not permitted at any time, but is regulated by the regime, which only allows prisoners to make phone calls around work, mealtimes and lock up. US research has similarly found that imprisoned mothers struggled to access telephones to call their children (Bloom, 1995; Snyder *et al*, 2002), though the families in this study also told us how this access is also subject to change depending on operational aspects of the institution. For instance, Ava understood how recent staff shortages led to more lock up times, and thus affected her daughter's ability to telephone home.

*"She normally contacts us on a Thursday and on the weekend if she can, just lately she hasn't been able to do it because they've had staff shortages and she says they tend to lock them in their cells more" (Ava)*

Locking prisoners in their cells for longer periods of time because of staff shortages supports Goffman's (1961) theory of prison as a 'total institution' because this demonstrates how the establishment primarily functions to serve its own needs, without realising the needs of the inmates. Administrative barriers such as this, were seriously disruptive for the mothers as they already described feeling distanced from their previous mothering role (see chapter 5) – and were working hard to time their calls home to fit around the regime and their children's lives outside. This balancing act led Sarah to telephone at 5 o'clock because she normally expected to be unlocked at

this time, and knew that her children had returned home, and finished their afterschool clubs. Equally Sarah's mother who was caring for her children became aware that this was a convenient time, and tried to make sure they were home and available in case she rang.

*"I normally phone them about 5 o'clock when I get unlocked for tea during the week [...] and because obviously they got afterschool clubs so I get them all then" (Sarah)*

However, within a prison establishment different wings or blocks hold different groups of prisoners and generally one area will house prisoners who have the highest "enhanced" IEP level (see chapter 2) who are often given more flexible lock-up times. Further evidence that the privilege scheme interferes with family life is found in Vanessa's account, as she explains the contrast between lock-up times across the different wings within an establishment, and the ways in which this directly shapes and affects their access to telephones.

*"I used to be locked in [my cell] at quarter to 8 so I wouldn't manage to get hold of them that much in the week, and on the weekends you get locked in at quarter to 5 so it's very restrictive on being able to have any contact [...] now it's not so bad [on the enhanced wing] because we don't get locked up [in the evening] so I can ring up until 11 at night"*  
**(Vanessa)**

The mothers also understood how their access to the telephones was shaped by the prison and its regime - because they explained how wages varied from one establishment to another. As we have seen, wages are a key source of income which is used by the mothers to finance telephone calls - and yet some mothers had earned substantially more money in previous prisons and therefore had to reduce the amount of time spent on the phone to their children every week when they were transferred. Financial resources dictate the length, frequency and quality of telephone contact -

and so these inconsistencies across the female prison estate also shape the nature and extent to which mothering in prison is possible.

Another inconsistency was identified through the provision of in-cell telephones, which were available in some institutions. Although these telephones are subjected to the same level of security as those located on the wings, they allow prisoners to make phone calls when they are in their cells (HMIP, 2016). Similar to the previous findings (National Audit Office, 2013; Sharratt, 2015; HMIP 2016), in-cell phones were found to support the mothers to maintain improved family contact. Two main advantages that the mothers identified with in-cell phones were concerned with their ability to facilitate flexibility and improve privacy. For instance, Esther revealed how this facility removed some of the challenges of accessing telephones on the wings, and subsequently improved the quality of her mother-child contact.

*“Unless you know you can catch them at the right time, you’ve got to work around this regime so you can’t beat having your own phone in your room [...] I think every prison should have [it] because it really does make a difference when you’re keeping up contact with the kids and family in general [...] because you can phone at different times and you’ve got privacy” (Esther)*

Initiatives such as in-cell telephones have the potential to remove many of the institutional barriers identified in accessing and maintaining meaningful contact – though it fails to address the issues associated with the cost of telephoning, IEP status’s or in establishing contact in the initial few weeks of a mother’s sentence. Thus the combination of these challenges in telephone contact are likely to make mothering from prison more demanding as the women rely on these inadequate processes to sustain relationships with their children and families outside.

One way the mothers attempted to overcome the obstacles in telephone contact was by drawing on the resources and support offered by the Family Engagement Worker (FEW) at the prison. FEWs are practitioners either employed directly by the prison or

employed through a contract with a voluntary sector organisation. Their role is to provide information and support to the women to help them maintain their family ties and relationships, or to address any familial issues that arise during their sentence. This includes the facilitation of a phone call, for instance in a family emergency, such as a death or another urgent matter. Because of the time and financial restrictions on the available telephones, this additional access to an office telephone was both vital and valued. Eve recalls her experience of working with the FEW when her son was being bullied at school, as the FEW had organised a telephone meeting so that she could discuss and resolve this issue with relevant teachers.

*“My son was sort of coming home from school and he was being bullied at the time and I come in and spoke to the family support worker and said ‘look I’d really like it if we could call the school’ and we did. We sat down together and I called the school” (Eve)*

A review of the female prison estate (National Offender Management Service (NOMS), 2013) proposed that FEW’s should be present in every establishment and to my knowledge this has been successfully achieved. All the mothers interviewed knew of the FEW at their establishment and many reported having had positive experiences of working with her at some point during their sentence. Although this points toward an effective provision, it is also important to note that conversely, only three families in the carers cohort had engaged with the FEW with the remaining families (n=12) having no knowledge that this service was available. Previous research from Scotland has similarly found that families struggle to find information about FEWs<sup>102</sup> (Loucks, 2005). This suggests a significant gap in the provision of support for caregivers who may also be attempting to sustain and facilitate mother-child relationships. Not only are these family members unable to manoeuvre around the institutions regulations because telephone contact is one-way, but they are not aware that there is a FEW who may be able to assist them with familial ties and/or concerns.

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<sup>102</sup> In Scotland, practitioners with the same role as FEWs are called Family Contact and Development Officers (FCDOs).

## Visiting Mum

The majority of family members (n=26) had participated in prison visits (also referred to as social visits), with only a few mothers in the rebuilding group reporting that they had not had any visits during their current sentence (see chapter 5). Many family members preferred visits because they provided a unique and valuable opportunity to connect face-to-face, and occupy time and space with one another – which is something that the prison sentence ordinarily prevented. Previous research has also found that frequent visits can minimise the harms of parental imprisonment for both children and families (Gilham, 2012; Losel *et al*, 2012; Sharratt, 2014; Tasca, 2016). This theme examines the different stages and challenges of the visitation process, demonstrating how this contact was not straightforward for these separated family members.

### *Preparing to visit*

All social visits must be booked in advance (HMIP, 2016), although the process involved in preparing to visit vary across establishments – with some being organised through the prisoner, whilst others are directly organised by the family outside, either by telephone or online. In the latter arrangement, family members described the lengthy and frustrating booking process as Derek explains below.

*“It takes you hours on the phone to get a visit [...] I mean it took forever, literally forever and I mean, alright, you could do it on the internet but we aren’t on the internet so” (Derek)*

Derek highlighted how the online booking system<sup>103</sup> was problematic for those families who do not have access to the internet or are not computer literate. These findings support previous research that has also described how the booking facilities were not user-friendly (Loucks, 2005; Codd 2008; Sharratt, 2014). At another prison, the caregivers reported difficult experiences of booking the first visit. As Kevin recalls, his

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<sup>103</sup> The online booking system has been slowly rolled out across in England and Wales since 2015, and a Government blog detailing this process can be found - <https://gds.blog.gov.uk/2014/09/15/you-can-now-book-a-prison-visit-online/>

first visit was seriously delayed because the prison failed to respond to his messages ; which was both distressing and frustrating.

*“It’s so unorganised, it took me ages, a couple of weeks to organise a visit [...] I tried phoning and messages, email, email, you know, email, email, someone please phone me back [...] so that’s that stress level building [and then] going up to the prison was daunting” (Kevin)*

Given that the previous section highlighted how the reception telephone call was also delayed, this raises serious questions about the processes that are supposed to facilitate family contact in the initial weeks following a mothers’ imprisonment. Kevin’s extract also alludes to the anxieties shared by many of the caregivers, as they discussed their apprehension and concerns around visiting the prison for the first time. For instance, Rebecca explains how she went alone on the first visit to scope out the environment, to determine how child-friendly it was, before deciding whether to take her granddaughter.

*“I went to the prison myself to see it first, to see what it was all like because I wasn’t really sure, you have this depiction in your head that it’s going to be really awful and when I went to see her I saw that they had some child-friendly things there” (Rebecca)*

Similarly the mothers described how their families had expected the prison to be akin to media and television representations, with Sarah explaining how her mother anticipated a scene out of “Bad Girls”. This probably occurred because family members received little information or support about the prison system following the mother’s removal to custody, and they were therefore struggling to manage their expectations ahead of the event (see chapter 6). It may also be a reflection of prison as a “hidden” institution in society (King and Wincup, 2000; Martin, 2000; see chapter 1). These findings also build on Condry’s (2007b: 6; see also Sharratt, 2014) inference that families undergo a “socialisation process” as they navigate their first prison visit, and must quickly learn about the rules, environment and procedures.

Another theme in carers' accounts revealed the difficulties in organising the prison visits around other commitments in their daily lives because the prison dictated the visiting times. Lucy explains how she could not attend weekday visits because they clashed with the end of the school day and her childcare responsibilities.

*"In the week, visits are just in the afternoon which means if we're going on a visit then who's going to pick the kids up from school? It's not easy"*

**(Lucy)**

Lucy's experience resonates with issues discussed in an earlier chapter (see chapter 6) as other grandparents, Martha and Malcolm also struggled to juggle their childcare responsibilities around the afternoon visiting times. Consequently most families organised their visits on the weekend. As one mother explains, Sunday is the most appropriate day to visit because her children do not generally have any other plans.

*"I don't want my son out of school and my daughter has [to] work so both of them are free on a Sunday"* **(Eve)**

However, because weekend visits were more convenient for families they tended to be popular and busier. This placed additional strain on families to ensure they secured a place using the inadequate booking lines, and also had repercussions for the visiting experience – as the officers had more families to search, which created delays and shortened the visiting time (as discussed later).

### ***Travelling to visits***

As there are fewer women in prison, there are correspondingly fewer female prison establishments dispersed across England, with none in Wales (see chapter 2). This means that women are generally held further from their homes – and a recent review of the women's custodial estate (NOMS, 2013) identified this as an acute concern for mothers, acknowledging how this affected their familial responsibilities. Previous research (NOMS, 2013) has indicated that both men and women are held on average 50 miles from their home, yet the extrapolated data from my interviews suggest that

this may be a little conservative, with Table 5<sup>104</sup> showing how on average families lived 68 miles away from the prison.

Table 5: Distance between home and prison

	<b>Mean distance from home (<i>miles</i>)</b>	<b>Median distance from home (<i>miles</i>)</b>
Mothers only	86	72
Caregivers only	49	50
<b>Whole sample</b>	<b>68</b>	<b>56</b>

It is because of these distances that the families reported problems in maintaining regular contact through visitation, which chimes with previous research conducted internationally on parental imprisonment (Robertson, 2007; Martyn, 2012; O'Malley and Devaney, 2016). As Kathleen explains, her family could not visit as frequently at her previous prison because it was further away.

*"[My family] didn't visit that much at the last prison because it was so far and it wasn't easy" (Kathleen)*

As we can expect, travelling long journeys involves navigating motorways and other busy roads to get to the prison, and as Shelia explains, the travel time varied and was often unpredictable, which made planning these visits all the more challenging and stressful.

*"It's 60 miles there and then 60 miles back so it's about a 120 mile round trip, it's just a nightmare, it's an absolute nightmare [...] it*

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<sup>104</sup> These figures are based on the accounts of the interviewees at the prison where the mother was detained at the time of the interview. In some instances the mileage was self-disclosed by participants in their accounts, whereas on other occasions the mileage was calculated using data of their hometowns and by researching the distance between this location and the prison. The figures were rounded to the nearest whole number.



*depends what the motorway is like, it depends on the day how long [it takes]” (Shelia)*

In some instances, families reported spending more time preparing for the prison visit and travelling than actually in the visit face-to-face with the mother. As Terry and Jasmine explained, visiting the mother took up most of the day when they consider the time and effort needed to prepare and travel with their three year old grandson.

*“Jasmine – it’s a day out, it’s a day out for us*

*Terry – we leave here at about 12 or 12.30 [...] but it doesn’t start at 12 o’clock, it starts about 9 o’clock in the morning because you’ve got to get the kids ready, you’ve got to get yourself up, you’ve got the drinks, the food, you’ve got to get everything ready [...] we make the journey we do a 2 hour journey, 4 hour round trip [...] we get back at about 7 o’clock [...] so it’s like a 12 hour shift just organising a couple hour visit”*

**(Jasmine and Terry)**

Travelling long distances to visit was also costly for the families, and so paying for the fuel or public transport was burdening the carers more - which was worrying them because of their already difficult economic situations (see chapter 6). For instance, Daniel explains how the 150 mile round trip accounts for a large proportion of his benefits which is his only source of income during his wife’s imprisonment.

*“It’s like 75 miles there and 75 miles back and also when you’re on benefits and stuff like that it does take quite a chunk out of your money each week so it cost us in our car about £30 a trip” (Daniel)*

There were also less obvious costs with the practicalities of travelling long journeys, as for instance, the time it took to travel to and from the prison, whilst visiting the mother in-between often coincided with mealtimes. Kelly explained that her eldest son drove her younger children to the visits, but this is expensive because it involved paying for a meal on the way, and also snacks during the visit itself.

*“My son says it’s stressful, it costs him a fortune he stops somewhere and gets them all something to eat and then they come and they eat loads on the visit, and I only have a coffee, but they have like two trays full of food and so I suppose it can be quite expensive” (Kelly)*

The Assisted Prison Visits Scheme (APVS; see chapter 3) is a government run initiative to support prisoners’ families with the travelling costs of prison visits, though this does not include money for food. Furthermore, of those interviewed, only six families knew about the scheme and of these just three were using it. Information about APVS can normally be found on government websites and in prison visitor’s centres, but as Claudia suggested this is not widespread - and so many families were not aware that it exists. Claudia explained how APVS is useful for her to facilitate contact between her daughter and grandson, and so she is committed to telling others about it so that they too can benefit from this resource.

*“You fill a form in each month and it costs me £60 to go up [to the prison] and then they give me back £56.80 in travelling [...] I’d been going [to the prison] 6 weeks when I sat down and talked to another lady and she said to me ‘are you doing that assisted prison visits form?’ and I said ‘I don’t know what you mean’ and she told me how to do it and that’s how I got to know. So when new people come in now, I tell them, I tend to make a point of saying ‘you can probably get travelling expenses’” (Claudia)*

Evidently APVS has the potential to be an effective provision to alleviate some of the travelling costs, though at present, it is poorly advertised and subsequently underused. Previous research has also indicated that it rarely covers all the visiting costs (Sharratt, 2014) although the little knowledge of APVS in this sample makes it difficult to gauge whether this was an issue for these families. For those families travelling on public transport, navigating to the prisons – and especially those located in more rural settings - was another challenge. Stephanie described how her adult children travelled

by railway to visit but that this involved a lengthy journey, changing trains several times, and was expensive.

*“It’s hard for them to get here, they can get the train from our local town but then have to go to one place to change (train) and then somewhere else, and then it’s money as well, it costs a lot of money” (Stephanie)*

As we have seen there are several challenges associated to travelling to the prison and consequently the process of facilitating the prison visit was both stressful and tiring for caregivers. They were then faced with further adversities as they were subjected to stringent search procedures before gaining access to see the mother.

### ***Search procedures***

On arriving at the prison, the family members must book into the visitor’s centre, show identification and receive a rub down search before going into the prison hall (HMIP, 2016). Family members had mixed reactions to these search procedures; with some having expected this level of security whilst others felt less comfortable with the process. For instance Shelia explained how the security checks were similar to those found in an airport.

*“They took my ID [...] and the photograph and all that business [...] and that was like the security that I expected, like an airport” (Shelia)*

Similarly, other caregivers were not fazed by the process and expressed an appreciation of the sensitive way the staff members conducted the search process with the children. Annette described how staff members used age-appropriate and child-friendly approaches to search her grandson, explaining how this usually occurred in the extract below.

*“Up to now the prison has been brilliant with him [during the search they say] ‘have you got any sweeties, can I check your pockets?’ you know, they ask me first but I go ‘yeah’ [...] I haven’t got a problem with the officers” (Annette)*

However, these caregivers were in the minority with most indicating how aspects of security checks were operationalised in such a way that it made them feel like criminals. This chimes with previous research that has identified how the visiting process can be degrading for family members (Codd, 2008; Dixey and Woodall, 2012; Sharratt, 2014; Sharratt and Cheung, 2014; O'Malley and Devaney, 2016; see chapter 3). Although searching for contraband is a necessary procedure during visits, the use of sniffer dogs<sup>105</sup> at a few prisons was another layer of anxiety for some family members and children. Specifically the caregivers identified the prison staff as a key factor in shaping their negative experiences, and Daniel explains how there should be a distinction in how visitors are treated by officers because they, unlike their loved ones, were not convicted prisoners.

*“You just feel like you get treated as though you’re a prisoner and you’re not, you’re visiting a prisoner [...] you get treated like you’re the criminal as well, do you know what I mean? [Interviewer – what makes you feel like you’re being treated like a prisoner?] I don’t know, it’s just the way they are sometimes, the officers, I mean some of the officers are really nice, and some of them aren’t and it’s just the attitude of them sometimes” (Daniel)*

It was widely agreed that the searching process was heavily shaped by the officers on duty, and as Daniel indicates – some staff members seemed pleasant, whilst others were less so. This may be explained by a previous commentary on prison visitation in which Broadhead (2002) found that visits were perceived as a nuisance for officers because they interfere with the prison regime, and can threaten aspects of prison security. Yet the caregivers experiences in prison link back into their descriptions of feeling stigmatised in their community, and being treated differently through the process of ‘courtesy stigma’ (Goffman, 1963), which is ascribed because of their association to the prisoner (see chapter 3).

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<sup>105</sup> Not all prison establishments had sniffer dogs; but many families had experienced being searched for drugs by dogs at some point when visiting the mother in prison.

To further understand the nuances of this process, it is interesting that other academics have previously described the visiting environment as a “liminal space” (Codd 2007; 2008; and chapter 3). This is because family members assume the identity of a “quasi-inmate” as although they remain free and innocent citizens, they are being managed in a tightly controlled environment, positioned on the periphery of freedom and detention (*ibid*). The carers in this study similarly acknowledged their unique situation, by showing an understanding for the necessity of the security process whilst similarly being dissatisfied with assuming a prisoner-like identity.

*“It’s not a pleasurable experience, I mean I appreciate that that’s what they have to do but it’s certainly not a pleasant experience [...] I felt a bit like a prisoner myself” (Madeline)*

However there is also the potential that the caregivers’ negative experiences of the searching procedures could overshadow the visiting experience by exacerbating an already lengthy, tense and emotional process. Not only could this impact on the quality of the visit with a mother, but also influence a caregiver’s willingness to visit (Snyder *et al*, 2002) and facilitate the mother-child relationships; which as a prior chapter has illuminated, is a crucial intermediary role that the children’s carer plays (see chapter 5). The speed of these searching processes was also found to influence the visiting experience, with many families reporting how delays with the security checks often cut into their visits. With the weekend visits being the most popular visiting time, Ava explains how Saturday’s were normally very busy and so those families who booked in later down the queue (but still on time) could have their visit curtailed.

*“On a Saturday there’s like 40 people visiting so [...] by the time the last lot go [in to the prison] there could be one hour left [...] I think that’s pretty tough, I mean if you’re going to get a 2 hour visit, it should be 2 hours and I think that [just] because you arrived sort of near the end of the queue you shouldn’t have your visiting time curtailed” (Ava)*

As we have seen, families often travelled long distances to reach the prison but were anticipating a two hour visit, only to experience less time together. Betty considered how a one hour visit is a short amount of contact time, considering that her husband and children had to travel 5 hours each way to the prison.

*“By the time you actually get into the visit, get to see your visitor, you might only have an hour left so I think that [...] they ought to do the searching and everything else before [and] the two hours ought to be two hours [...] my husband and children will come all the way; 5 hours up and 5 hours back [and] that’s a long way for an hours visit” (Betty)*

Sentenced prisoners are legally entitled to two one hour visits in every four week period (HMIP, 2016). However the visits are advertised as lasting two hours at the prisons, and so it is a common misconception that this is the amount of time families should expect to spend together. This implies that the prisons were not appropriately managing the families expectations - as nearly all the members interviewed were under the impression that they were entitled to the whole two hours.

### ***The visiting environment***

A prisoner can have up to three adult visitors at one time, although no such restrictions are applied to the number of children visiting their parent in prison (PSI 16, NOMS 2011; HMIP 2016). During more popular visiting times this meant that a number of family members and children were trying to talk and interact at the same time within a busy and loud visiting hall. The mothers found this particularly challenging because their movement was restricted, they could not leave their designated seat and so their ability to get up and play with their children was strictly limited<sup>106</sup>. Regulating movement removed her agency as a mother, and this is another component to Goffman’s (1961) ‘total institution’ theory within which the institution has control over

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<sup>106</sup> Most visiting halls have allocated seats for the prisoners which are positioned opposite their visitors, normally across a table. Prisoners and their visitors are normally allowed a short embrace at the beginning and end – but are not allowed physical contact during the visit. The rules are generally more flexible with children, as young children are permitted to sit on their mothers’ knees, but the mothers are not allowed to move from their chairs to interact with their children, either on the floor near their seat, or in designated play areas.

all aspects of the inmates' lives. However Stephanie contends that these sanctions made her feel even like more like a prisoner - as she was unable to fully engage with her children and play.

*"A social visit is where you have to sit on a chair and you can't move and you sit there for 2 hours and talk [...] and you feel like a prisoner, you can't get up and you can't play with your kids" (Stephanie)*

These stringent regulations on the mothers' movements are concerning because visits provide valuable and unique occasions for mothers and children to interact and connect – opportunities which being in prison had for the most part removed in their daily lives and practices (see chapter 5). By stifling the mothers' chance to participate in 'family practices' (Morgan, 1999) including play, these processes could contribute to the mothers' already withering identification with a 'good mother' identity and increase their feelings of disconnectedness from their children. As Rochelle reported, the visiting process prevented mothers from engaging in everyday mothering activities, such as taking their children to the toilet and instead forced them to rely on other visitors to do this.

*"You can't get out of your seat; you're relying on your visitors, you can't even take them to the toilet and stuff" (Rochelle)*

It was especially difficult for the mothers because the prisons had play areas in visiting halls, and although they varied in size and scope, their children could go and use these facilities during the visit. One prison allowed the mothers to book a 20 minute slot to take their children into the play area, whereas the other prisons did not operate a system of this kind and so children had to be supervised by play staff or an adult visitor. In some instances, the children could bring activities, such as toys or books, back to where the mother was seated - and although this provided a small opportunity for the mothers to play - Leanne explained how this system was not appropriate for small children considering their relative attention span and interests.

*“Children just don’t want to sit in a chair for 2 hours and so nothing, no matter how many plastic toys you bring over, they’re just not interested”*

**(Leanne)**

Similarly Jasmine suggested that the prison should take into account the seating arrangements in the visiting hall so that mothers and families with small children are sat nearer to the play area. She explained how her three year old grandson could not understand<sup>107</sup> why his Mummy could not get up and play with him when they were together in this space.

*“There’s an area for the toys but if you’re sat far away and your child wants to go over there then you can’t expect them to sit down, it’s like my Grandson will say ‘Mummy come and play over here’ [...] when they’re toddlers is like ‘why not?’ and he don’t know, it’s very hard”*

**(Jasmine)**

Some families had stopped visiting with young children because they were getting too distressed, and although was partly owing to their age and inability to understand why they had to repeatedly leave their mothers, it was also because the environment was not fostering positive mother-child contact. Kevin also indicated how restrictions in the visiting hall were problematic for older and teenage children who are too mature for the play areas and activities provided, but could also benefit from activities that facilitated interactions with their mothers.

*“Sitting in the visits hall, they’re bored, you know there’s nothing for them to do, I mean I know they have the play areas but for the older children there’s nothing” (Kevin)*

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<sup>107</sup> Younger children were also less likely to understand why the mothers’ movements were restricted because they had not been told the true whereabouts of the mother and were not aware, or were too young to comprehend that they were in a prison. Other research has also suggested that younger children are not told about their parents’ imprisonment (Morris, 1965; Shaw, 1987; Katz, 2002; see chapter 3).



These sanctions on the mothers' movements may also impact on the nature and quality of the mother-child relationships, because as Jasmine's extract above indicated - children *want* to play and spend time with their mothers. Terry proposed that families visiting with children should occupy a different space, perhaps a family room that both facilitates fun activities and encourages play.

*"You can't sit in that room and be a mother; I think they should have a separate family room because I believe that the mothers should be allowed to get out of their chairs [...] the children want their Mums to play with them" (Terry)*

At one prison, a family room was available to mothers and their children, which ran alongside the social visit. The mothers had to book this in advance, but as Esther explains, this facility provided more privacy and freedom to move, interact and play with her children.

*"You get your own room, you and your family [...] in the visiting hall you're practically sitting on each other's laps so to have a little time where you can speak to the kids, and mess about, and oh the other big thing is so you can walk around in there [...] so it does make a difference" (Esther)*

This family room has the potential to facilitate a better visiting environment for children and families as the mothers increased opportunity to do mothering is likely to strengthen relationships and her ability to identify with her maternal identity. Yet, this provision is severely limited because only one family could book and occupy the room at a time – and given that nearly half of women in prison have children under 18 years old (Caddle and Crisp, 1997) it is unlikely that one room has the capacity to provide every family with an opportunity to access this space within an establishment that can house up to 500 women. Alternatively, many families revealed that they preferred other visiting opportunities offered by the prison and described their experiences of

children visits, toddler groups or family days (referred to collectively as family visits from here onwards) and are discussed in the following section.

### ***Family Visits***

Prison guidelines suggest that family visits should be focussed on providing “family time in a more normalised environment” which allow for a “better quality of experience and interaction for prisoners and their children” (PSI 16, NOMS 2011: 18). Over half of the families in my sample had participated in family visits and considered them to be more child-friendly than social visits. This supports previous research, which found that family visits provided invaluable bonding and parent-child time together (Snyder *et al*, 2002; Sharratt, 2014; Tasca, 2016). Families described how they provided age-appropriate activities and games, and supported mother-child interactions through free movement and play. In the extract below, Stephanie describes how the family days were substantially better than the social visits that were discussed in the preceding section.

*“On the family day the officers aren’t dressed up as officers, you can get up, you can interact with your children more. You can go with money and pay for things at the snack bar, they make it comfortable [...] and you get 4 hours, 4 and a half hours, so the difference between a 2 hour visit where you’re sat on the chair [...] compared to a family day where you can get up and you can play with your kids and you can make cakes and then you can go to the dining hall and you can have dinner with them” (Stephanie)*

Unlike telephone contact and social visits analysed earlier in the chapter, the extended family visits provided time and space where the mothers could interact and connect with their children. In turn this provided opportunities to engage in everyday mothering practices, such as eating a meal together. Eve explained the family visits provided opportunities to discuss and resolve any issues that had arisen for her older children whilst they ate a meal.

*“We can sit at the table and eat food and discuss any issues, any problems that have been happening [...] it’s a chance for us to kind of connect and deal with any problems or issues and quite often enough there are [problems] and we get them sorted out” (Eve)*

Similarly because these family visits provided more freedom for the mothers to move around, they were also preferred by the children. Annette considered how the family visit improved the quality of the visiting experience for younger children as they are more fun and interactive because the mothers can play.

*“[My Grandson] loves it cause mummy can get up and play, oh yeah he loves it. He asks every time we visit ‘is it one of these special days Nanna?’, it does make a lot difference that the prisoners getting up with their children and can go and play with them instead of just sat there with the child, it makes a big difference” (Annette)*

Despite an overriding agreement that family days provided many opportunities for families to connect, these facilities still operated within the parameters of the institutional regulations. A key issue was that these family visits generally had an early start time and considering we previously learned how many families lived on average 68 miles from the prison, this involved starting their journeys early in the morning. As Terry explains, ensuring his grandson was at the prison for 9am start involved getting up several hours beforehand.

*“We found it was not fair on our grandson, having to get him up 4 or 5 o’clock in the morning to get ready and get up there to be there for 9 o’clock” (Terry)*

The prison also had control over how the family visit was managed on the day - with the carers describing how the start time was sometimes delayed even after they had arrived. A few carers had attended a family visit, arriving at 9am as instructed, and were then left stood without any shelter from the rain until the officers arrived late to

perform the search procedures, delaying the visit by over an hour. Claudia recalls this frustrating experience and explains how this treatment is not fair on the children.

*“There was a family day last week and they [the officers] were supposed to be down by quarter past nine [to open the visitors centre], they turned up at quarter to 10 and we were supposed to be in family day for 10 o’clock [...] it’s the waiting and children stood out in the rain [...] and the kids were soaked, absolutely soaked, it was unbelievable and we only actually got up to the family day at quarter to 11, it were really bad” (Claudia)*

As Rebecca explains, these procedural issues and administrative delays undermined the child-friendly and family-focussed environment that the family visits usually create, and are not appropriate with children who are looking forward and excited to see their mothers.

*“For the children it’s a really long time to wait when you’re excited about going up’ [...] and the speed of the process of getting in and getting up is paramount” (Rebecca)*

The mothers also described the difficulties in securing a place on the family visits because they were very popular amongst the many mothers housed in the prison. Generally, prisons hold one family day per school holiday (multiple in the summer) or monthly, so if a place is not secured, then families had to wait between 4-6 weeks for another. Leanne tells of her experience of being refused a place on the most recent family visit because it was over-subscribed, and she revealed how she and her 8 year old son were devastated. Having been removed into temporary foster care during her prison sentence, family visits offered the best opportunity for Leanne to have contact with her son because they ran in the school holidays, and were the most convenient time for the carers to bring him.

*“Basically I put in for the last children’s day here but I got knocked back because there were too many subscribers [and] because I was given the one previously [...] I was devastated, I was crying [...] I honestly thought I was going to get it and I’ve never been knocked back before, so my son’s all on the phone ‘I’m going to see you Mummy in 6 more bedtimes’ and you know, he was getting all excited so when I phoned them up and said ‘look I’ve got knocked back’ [it was] so upsetting for him” (Leanne)*

However, the families were not informed whether their place on a family visit had been secured until a few days before it was due to happen – which is why Leanne and her son had counted down to 6 days before they discovered that they had not been given a place. For the caregivers outside, this uncertainty was also difficult to navigate around their other commitments - because as Janice explains, this late notice did not give much opportunity to book leave from work.

*“They tell my daughter say on the Monday and the family day might be on the Wednesday but for me to get time off work, it’s not enough time so she said ‘just book it anyway Mum, in case I do get it’” (Janice)*

Furthermore, the extract above demonstrates how valuable these family visits are for the mothers - as despite not knowing whether a place had been secured, Janice’s daughter encouraged her to book time off work. Unfortunately the prison did not appear to recognise the importance of these family days for families - as many mothers were transferred between prisons just days before the family day was due to take place which subsequently delayed them from seeing their children.

### ***Prison transfers***

Prison transfers can occur with or without consultation with the individual prisoner about their wishes and with little notice. The mothers’ accounts indicated that they were generally told about their removal to another prison establishment less than a day before the scheduled event. In some instances, this meant being moved shortly

before a visit with their children - which subsequently interfered with these plans and delayed the face-to-face contact. As Leanne explains, she was transferred the day before a family visit which left her devastated because it was a few months before she could arrange for her children to visit again.

*“The day before my family day I was shipped out. I was devastated [...] I was looking forward to it, the kids were looking forward to it, and then they shipped me out. So when they come and give me my transfer papers, the first thing I thought was ‘my children’s day tomorrow?’, and ‘sorry you’re being shipped out’ [...] so there was a big gap before I saw my kids again” (Leanne)*

Transferring the mothers, despite them having a visit arranged with their children, suggests how family life is overlooked in the prison environment and how there is little commitment to supporting these relationships in practice. Strengthening this argument, the mothers had been transferred to prisons that were further away from their children and families – subsequently lengthening the journey which the families had to undertake every time they visited. As Esther explains, more consideration ought to be given to the motherhood status of a woman so as to acknowledge how being transferred will affect her ability to continue mothering, and maintain contact with her children.

*“Transferring people to other prisons can be really unsettling for the prisoner and family and it needs to be looked at a little bit so that you’re not just being put in different parts of the UK purely just because there aren’t enough spaces, you need to really think about who it is that you’re moving and what effects it’s having on the children and stuff like that because the further it is that you’re away, the harder it is to keep up visits” (Esther)*

One reason for transferring prisoners is to allow them to participate in a rehabilitative course that has been assigned to their sentence plan. For Rochelle, this included

attending a drugs rehabilitation programme at a prison located over 250 miles from her hometown and her children. Attending this course was voluntary, although failing to complete the programme was likely to prevent her from being released early on Home Detention Curfew (HDC) or “tag” as it is more commonly known. These programmes are generally geared towards curbing reoffending, but as with Rochelle, can also conflict with other responsibilities and priorities for imprisoned mothers.

*“It’s hard, I’m miles away but I just think not having to do these courses that are miles away from home, like they should think about family ties when they want people to do course like this [...] it’s on my sentence plan so if didn’t do it then I probably wouldn’t get my parole” (Rochelle)*

Although mothers do not have the final decision about being transferred, they can request to be moved to a prison which is closer to their children - and for Kayley this paid off.

*“I never had any visits [at my last prison] because it was too far for my daughter to travel and so I asked to come to this prison for my visits and they said yes, so they had to wait until there was space to transfer me, and then I came here” (Kayley)*

Whereas other mothers had requested to move prisons and this was not granted. For instance, Malcolm describes how he felt that system overlooked his daughter’s familial needs as she was refused a transfer to a prison 18 miles away from their hometown, despite being currently held 80 miles away. He suggests that this process is punishing the family outside, as they are the ones travelling further to attend prison visits every week.

*“They should have a system that looks at whether they are parents or someone coming up every week and they should look at that to make it fair [...] not for their sake, but for the families sake. We come up [to the*

*prison] every week [...] it would make it so much easier because that prison's only 18 miles away instead of 80 miles away" (Malcolm)*

Prison transfers thus have the opportunity to obstruct or facilitate family contact – as they play a crucial role in the mother's placement in prison establishments, which can shape the accessibility and experience of prison visits. Combined with several other challenges to visiting that have been explored in this section; it is clear that prison visits are heavily regulated by the regime and provide limited scope for family life to thrive, or survive, during maternal imprisonment.

### **Other forms of communication**

Although maintaining contact using the telephone and through prison visits were used most widely by family members, they also discussed other ways they could communicate. This section therefore brings together a number of alternative forms of contact, and critically assesses the families experiences of using these; firstly exploring letter-writing using the post; secondly examining how technology could be implemented within the prison environment to facilitate better contact, including email and video-calling; before the final section highlights the benefits of Childcare Resettlement Leave (CRL), which gives mothers the opportunity to return home for short periods of time because of their status as a primary caregiver.

### ***Postal contact***

In principal prisoners can send and receive an unlimited amount of post (HMIP, 2016) and establishments provide prisoners with one letter a week that is funded by the government. However, because any additional outgoing letters must be paid for by the prisoner, in reality their ability to send letters is constrained. In some establishments families are able to post stamped addressed envelopes to prisoners or send in stamps - but this varies across the prison estate. In all prison establishments, prisoners can purchase stamps from the prison using their earnings from paid work, or from money provided by family members. However, this is the same small pot of money that is relied on to finance telephone calls, and is subjected to restrictions depending on a



prisoners' IEP status. As we have already learned in this chapter, the financial situations of imprisoned mothers is already stretched as they attempt to sustain telephone contact, and Stephanie like many other mothers explains how she cannot afford to fund both the PIN credit and writing materials.

*"We get one envelope a week here, it's not enough, I mean I can't afford to buy stamps and credit"* **(Stephanie)**

Given the choice, many mothers considered telephone contact to be more effective in maintaining contact and therefore preferred to spend their money on their PIN credit rather than letter-writing. There may have been other reasons as well, for instance because of literacy problems. Not only may this be an issue for mothers with young children who are unable to read and write, but a number of prisoners have poor literacy levels themselves – which has been found to be an obstacle for some prisoners (Skills Funds Agency, 2015). Therefore, postal contact was viewed as another way to stay in contact in addition to telephoning – although families explained how letters provided more space to communicate thoughts and feelings which were perhaps stifled during short and rushed telephone conversations, and because of the associated problems in affording to telephone. Yet as Martha explains, they often experienced delays in receiving letters from the prison, which appeared to undermine the mother's attempts at staying in frequent contact.

*"She was writing to us and we wasn't receiving letters and then in one day we'd receive like 4 or 5 letters in one go with all different dates and so she's written them and passed them on and they'd been sent all in one which I found was a bit, well, silly really because you want to hear from them, and you want to hear how they are and what they're doing and I mean a phone call is OK but the credit that she has is only limited and so she has to be very quick and obviously you can't explain a lot on a very quick phone call so like waiting for letters is really important"*  
**(Martha)**

Another key way families used mail, was as a substitute to a telephone call, when the mothers did not have enough funds to phone in the week. Within these circumstances, families were relying wholeheartedly on the mail to stay in touch – and yet as the extract above indicates, the slow prison processes were disrupting and delaying this contact. A few mothers made reference to “children’s letters” whereby women identified as mothers could receive an extra free letter a week, to enable them to write to their children. However, this provision was not well-known amongst the families interviewed, suggesting that it was not prevalent across the wider female estate. As Carly explains this may be because some establishments, including her current prison, were not forthcoming with this resource.

*“[You can get] extra children’s letters, they’re supposed to just give you them but 9 times out of 10 you have to ask for them, I’ve not been given one since I’ve been in this prison here” (Carly)*

It is anticipated that Carly knew about children’s letters because she had been in prison before, whereas most of the families interviewed were experiencing maternal imprisonment for the first time. Nevertheless, it is likely that children’s letters would be a welcomed provision for many of the mothers considering the challenges of sustaining telephone contact and visiting. It may also alleviate some of the mother’s strain of only having access to one pre-paid letter a week when attempting to communicate with several children, some of whom were living in different households during the sentence. Children’s letters may be beneficial for the rebuilding mothers, who were less likely to receive financial support from their family members to help them fund telephone calls, because of their already strained relationships with the caregivers (see chapter 5). However it is expected that families depend on the postal system because other forms of communication through technological advances, such as email and video-calling were not operational or widely facilitated within the prison system.

## **Technology**

Technological advances in society have meant that communication can be cheap, quick and straightforward for most people, with several conduits to sustain contact with friends and families being available in one mobile device. Yet many family members described how the prison system was out-dated, and that modern forms of communication that we take for granted in society were not accessible to prisoners, or their families. This is despite the family members suggesting that this technology may enhance their ability to stay connected, for instance through email and video-calling. Firstly families recognised how email could provide the same spatial opportunities as mail to communicate thoughts and feelings, whilst potentially removing the problems associated to the speed of the postal service. As Kathleen suggests, email may be more suitable than telephone calls or mail with older children, including her teenagers, who are already adept and familiar with this technology.

*“It would be great if you could have email. I just think with the children it’s what they’re used to, it’s technology and you’d be able to email them and talk to them and get more out of them” (Kathleen)*

Increasingly more prisons in England and Wales are using a scheme called ‘email-a-prisoner’ where friends and family can email prisoners for a small fee (30p for a 50 line message) and the prison prints this letter off and delivers it to the prisoner (HMIP, 2016). Only a few (n=4) families interviewed reported using this service, and although the data does not indicate why there was such a small uptake of this scheme, it may be linked to poor advertising, or because not all prison establishments offer the service. Those family members who had used it were also finding that it was subject to delays within the prison establishment, and was therefore not always faster than the postal system. As Malcolm explains, the delivery time varied considerably in his experience.

*“If you want to contact by email it’s going to take you anything up to 5 days ‘cause [when] you can send her an email she might get it the next day or she might get it 3 or 4 days later” (Malcolm)*

Another limitation to the current scheme is that email contact is one way – as the imprisoned mothers are not able to respond to the emails directly on a computer or in real-time. Instant messenger (IM) or texting could similarly provide this service – although access to mobile phones and the internet are not permitted within prison establishments for security reasons. There are suggestions that two-way email contact is being trialled at some prison establishments (Sharratt, 2014), but it is unlikely to be rolled out for some time, considering not all prisons offered the initial one-way service, and because of public protection risks associated with allowing prisoners access to the internet.

Other suggestions for providing contact using technology were focussed on video-calling, with family members identifying Skype and FaceTime as two effective programmes to facilitate this. At present, video-calling is used across the prison estate for legal meetings and court hearings, but is not available for social or familial contact. HMIP (2016) clarified that internet-based video services were withdrawn from all prisons at the end of 2014 because of concerns around safeguarding this communication – and it seems that little effort has been made to rectify, or modify, these services so that they can be trialled again. This facility would be welcomed by family members as it may help them overcome some of the challenges of travelling long distances to the prison for visits, paying for PIN credit to telephone, or waiting for the post. Also Betty explains how the face-to-face contact would help mothers feel more connected to their children, which would support their attempts at maintaining meaningful relationships.

*“To be able to keep up the links between families and children, there ought to be a way of skypeing [...] you can talk freely when you see someone when you’re skypeing, it’s a more natural conversation, you feel like the person’s there, you feel that you’d seen them and that you’d connected with them, and I think that link is what people need here, what women need, to have that link with their children. People aren’t always able to get here, miles and miles from home [...] if*

*skype [could] be set up for them, be given a time, and what have you, that it would do people the world of good because you're seeing your children, you're communicating with them, you're seeing them face-to-face, better than a phone, not as good as a visit but would help greatly" (Betty)*

Therefore video-calling may support the mothers as they attempt to re-establish or continue engaging in their maternal role as it removes many of the boundaries set up by the institution.

### ***Child Resettlement Leave***

Another form of communication favoured by family members was Childcare Resettlement Leave (CRL), as this could also help bridge the physical gap between the mothers and their children during the custodial sentence. Only five families in the sample had experienced CRL, though it was clear that this form of contact was well received and highly valued by these family members. This type of contact was seen as an opportunity for the mothers' to re-engage and participate in ordinary 'family practices' (Morgan, 1999) in their familial lives – something which being imprisoned had generally stifled (see chapter 5). As Vanessa explains in the extract below, her time on CRL was focussed on everyday 'family practices' such as shopping and watching television, which were understood as things she and her children "do" routinely in their household, and as a family.

*"It was really nice and we went home, had dinner, chilled out and then my son hammered me at every flipping game he could [...] just having a laugh with the kids and being able to do stuff with them, because like we've always, even though my daughter goes and does her own stuff with her mates, we still do stuff together. You know we all go shopping and we all go up and do the horses and we'll all go up the woods with the dog, and you know, but we've always been like that. We've always just sat down and watched telly together" (Vanessa)*

For Eve, having CRL was experienced positively in regards to her being able to temporarily resume her maternal identity and status because she was no longer confined to the prison environment.

*“They [had] come and met me at the [prison] gate and they watched me come outside and they were crying and happy and so was I, it made me, I don’t know, just like their Mum again. Like seeing them outside of prison, it just made me feel like wonderful, like the best feeling in the world and we went out and had a nice day out” (Eve)*

Therefore it is evident how CRL provides mothers with an opportunity to engage in their children’s lives and participate in their mothering role outside of the prison establishment – and subsequently without the institutional restrictions that accompany the other forms of contact. However, only a small number of mothers in my sample had access to CRL, which suggests it is not widely issued. This may also be because the CRL remit had been significantly reduced following a review in 2015 which was not long before the interviews took place (Royal Society of Arts, (RSA) 2016) – with one mother having had the opportunity to go home once but subsequently prevented from returning home again. Esther described how this was not only unsettling for her family, but also difficult to explain why these changes had occurred to her two daughters aged under 10 years old.

*“My daughter said to me like ‘aw you know next time you come out you can cook fried chicken’ [...] and it’s like ‘aw babe, I don’t know when that’s going to be because I got that day, but it may be while before I get it again’ [...] it’s unsettling [for the kids] because they haven’t done anything wrong, they don’t understand why you’ve come out for the day and then you’re not coming out again and it’s unsettling for them” (Esther)*

This extract demonstrates how prison processes are intertwined with the mothers’ familial lives and how wider regulations within the establishment can have serious

implications on the nature of the relationship that can be sustained between an imprisoned mother and her children. It further adds strength to the argument that maternal imprisonment is experienced as a 'family sentence', as in the case above, it is the children who are being punished by these restrictions as much as the mother.

## **Summary**

Drawing on the experiences of the whole sample, this chapter demonstrated how different forms of communication were heavily regulated and restricted by the prison establishments and how, in turn, this affected families attempts to maintain their relationships during maternal imprisonment. Supporting Goffman's (1961) conceptualisation of prison as a 'total institution' it was clear how communicative sanctions were enforced as part of the wider process of separating an individual from society. Firstly telephone contact was critically analysed and the onus on the mother's ability to finance the outgoing calls to their family was found to be particularly challenging when other regulations, such as IEP status and telephone tariffs shaped their access to this service. Further restrictions were discovered with regards to inconsistencies within prisons, for instance with regards to the location of telephones in establishments and because some offered in-cell telephones, whilst the facilitation of reception calls was found to be especially poor. Consequently the length, frequency and quality of mother-child telephone contact was heavily influenced by the prison.

Similarly the families highlighted several limitations at every stage in the visitation process – from preparing to visit using the inadequate booking facilities to experiencing Goffman's (1963) 'courtesy stigma' through the degrading search processes. Families also had to travel long distances to participate in prison visits because the mothers were held in establishments on average 68 miles from their homes. The environment within the visiting hall was perceived to further undermine the mother's ability to participate in their maternal role and identity – despite offering the potential to facilitate valuable, face-to-face interactions – because movement and play were not permitted. Family visits were alternatively well received with families finding these events supportive and family-friendly, although because of their popularity they were

often over-subscribed. Similarly because family visits took place within the prison itself, they were still subjected to administrative delays and regulations, including staff shortages and prison transfers.

Other forms of communication were also evaluated – with the merits of mail receiving mixed reactions. This is likely because financing stamps and letter-writing materials came from the same funds from which the mothers had to pay for telephone contact, meaning that mail was consequently viewed as an addition to telephone contact, or as a substitute when telephone contact was problematic (mostly when funds were not available), although this process was revealed to be slow and unreliable. Alternatively families showed an interest in communicating using technology – specifically email and video-calling. Although one-way email contact can be achieved using ‘email-a-prisoner’ service, this was not widely used by families, and video-calling had been retracted from establishments in 2014 for security reasons. Nevertheless, CRL was considered to facilitate mothering practices outside of the penal environment, supporting mothers to identify with their maternal identity – yet was also shaped by prison rules, with one mother having her CRL retracted after her first successful home visit.

Thus, the overriding impression was that motherhood and family life are not prioritised within the prison context, despite policy discourse indicating that these relationships should be supported (see chapter 3). Therefore, it is inferred that a significant disparity lies between policy and practice in this area. The following chapter critically examines and discusses the significance of the findings presented across the three empirical chapters set against previous research and commentaries on maternal imprisonment. It concludes with recommendations aimed at policy and practice, to suggest ways to improve the current provisions for families during maternal imprisonment.



## **Chapter 8 – Maternal imprisonment; the implications and recommendations that emerged from adopting a family-centred approach**

Following the insights gained from my prison placement, this study set out to achieve two research aims: first to explore how maternal imprisonment is experienced from a family-centred perspective; and secondly to critically examine female prisons serving England and Wales, and identify how processes within this institutional context impact on mothering and the family. This final chapter is organised into the following four sections to demonstrate and discuss how these were answered in the study:

1. What has been learnt about maternal imprisonment?
2. What has been learnt about female prisons?
3. Key conclusions and recommendations for policy and practice
4. Considerations for future research

It is important to note that much has been written about women in the criminal justice system, despite little progress having been made in practice (Corston, 2007). Indeed, many commentators have argued that prison is rarely a necessity for most women (for example see Corston, 2007; PRT, 2016), and this has fed into the perspective underpinning prison abolitionist arguments (Codd, 2010). As I outlined at the start of this thesis, I also believe that prison should be reserved a small number of women who pose a significant risk to the public (see chapter 1), and therefore align myself close to the abolitionist positionality. However, this chapter primarily focuses on the application of the study's empirical findings to policy and practice. Underpinning this is the assumption that the recommendations have the potential to improve the current system, and to respond the woefully inadequate provisions currently operating, and subsequently affecting, a large proportion of children and families experiencing maternal imprisonment in England and Wales. Thus, the chapter emphasises changes and responses which ought to be addressed here and now, and in light of the current

situation; in which women continue to be imprisoned at exponential rates, and whereby thousands innocent family members are subsequently being punished.

### **What has been learnt about maternal imprisonment?**

The findings point towards the importance of considering the context of family life *before* the mother is removed and detained. With the cohort of mothers, it was evident that there were core differences in their circumstances and experiences going into prison, and these disparities were found to significantly shape how they interpreted their status and identity as mothers in prison. This led to the mothers' cohort being divided into two smaller groups; the disconnected group and the rebuilding group. On the one hand, the disconnected group reported having had an active role in their children's lives prior to their imprisonment, often as primary or sole caregivers, and were in prison on their first sentence. On the other hand, the rebuilding group of mothers reported more strained and disrupted relationships with their children and families, whilst acknowledging how their past drug use and prior convictions had contributed to this distance. These mothers had not lived in the same household as their children nor played a principal caregiving role for a number of years leading up their current sentence. Building on similar conclusions from the US context (Glick and Neto, 1977; Enos, 2001) these findings suggest a relationship between caregiving and prior convictions; indicating that mothers serving their first prison sentence were more likely to be primary caregivers, whereas mothers who had multiple convictions tended to be less involved in caregiving.

It is the women's primary caregiving role and familial responsibilities which has led commentators to have gendered anxieties and unease about maternal imprisonment (Worrall, 1990; Matthews, 1999; Carlen, 2002; Chesney-Lind and Pasko, 2003; Gelsthorpe and Morris, 2008; Corston, 2007; Enroos, 2011). Their principal caretaking role is the reason that maternal imprisonment has also been considered more disruptive for children and families than paternal imprisonment (Gabel and Johnson, 1995; Huebner and Gustafson, 2007; Hardwick, 2012; see chapter 2). However, as this study has shown, not all mothers were caregiving before coming into prison and so it is

possible that there will be some variance in the family's experience of maternal imprisonment as a result of this. Rowe (2011) has cautioned that women in prison should not be viewed as an homogenous group, and in light of these findings this sentiment is applicable to mothers in prison.

### ***The double punishment facing 'bad mothers' in prison***

The mothers in the disconnected group were concerned that being imprisoned had undermined their ability to continue *doing* their mothering role. The theory of 'family practices' (Morgan, 1996, 1999, 2011) was an effective theoretical lens to unravel the mothers' subjective meaning of family life. In particular, we learned how prison prevented their engagement in 'normal' day-to-day activities, and in the minutiae of what it means (to them) to be a mother. Every day practices, such as bedtime routines and being 'there' to support and guide their children were not easily accessible. The difficulties and disappointment of missing important milestones in their children's lives, such as birthdays, also had particular importance because of lost opportunities to 'display' (Finch, 2007) their maternal status to their children and others at these special events.

In addition to the important insights these empirical findings provide around the struggles of doing mothering in prison, they also offer a theoretical contribution to sociological theorising around 'family practices' (Morgan, 1999). In responding to the changed circumstances in their family, the mothers emphasised how the renegotiation and loss of these daily 'family practices' meant they relied on other family members to assume these responsibilities in their absence. In doing so, the mothers were concerned and distressed that they could not perform their mothering practices in prison, indicating how these everyday activities were crucial to their self-identity as mothers. Therefore, this theoretical lens has illuminated how families construct, manage and understand their roles and responsibilities during a challenging period of flux and uncertainty, and the ways in which 'doing' family acutely intersects with an individual's self-perception.

As with research findings from the US (Enos, 2001; Berry and Eigengberg, 2003; Celinska and Seigel, 2010) the issues of *doing* mothering arose from institutional restrictions that heavily regulated all activities, which could otherwise facilitate improved family relationships and mothering practices (see chapter 7). This explains why prison is considered more distressing for mothers when it removes their status and role as primary caregivers (Bosworth, 1999; Ferraro and Moe, 2003; Berry and Eigengberg, 2003; Haney, 2013). The findings suggest that mothers could be receiving a double punishment because of the additional difficulties and disadvantages they experience in the prison environment *as mothers*. These insights tie into Carlen and Worrall's (2004: 2) assertions that women are seen as "doubly deviant" and are deserving of punishments for their gendered crimes in addition to their law-breaking offences. Historically women in prison have been seen as needing to be reformed or 'cured' with programmes aimed at 'feminisation, domestication and medicalisation' to realign their femininity (Carlen, 1983). Whereas, the shift towards more punitive responses to crime since the 1980's in England and Wales (Cavadino and Dignan, 2002; Liebling, 2004; see chapter 2) may have also been accompanied by harsher punishments for these seemingly 'bad mothers'.

Evidence of prevailing normative assumptions around motherhood, and especially the identity of 'bad mothers', were found in the mother's own narratives and self-reflections. They were aware that being in prison caused them to have what Goffman (1963) conceptualised as a 'spoiled identity', and correspondingly these mothers felt shame and guilt. These feelings also indicate the internalisation of their stigmatised identity through a process of self-stigma. US research found evidence of self-stigma in the narratives of incarcerated mothers because they lacked parental responsibility (Enos, 2001; Brown and Bloom, 2009; Celinska and Seigel, 2010). In some instances, the fragmentation of mother-child relationships during maternal imprisonment led to "role exit" where the mothers surrendered their maternal role altogether (Barnes and Cunningham-Stringer, 2014: 7).

However in a different way, this study found that the mothers' self-stigma occurred as they acknowledged how their imprisonment had caused their children and families suffering and disadvantage. The mothers' spoke regrettably of how their children had to move home and schools, leaving behind friends and familiarity, whilst the children's caregivers grappled with financial, work and practical issues. The complex and difficult social environment, in which these families were subsequently positioned, caused the mothers to see how they too were being punished. Importantly, these findings provide empirical support to the argument that maternal imprisonment is experienced as a 'family sentence', whilst providing fuller insights into the extent of the damage and disadvantages that accompany these circumstances.

### ***Rebuilding a maternal identity; stigma and fractured relationships***

Maternal stigma was similarly experienced by the rebuilding group, precipitated by their children's caregivers who overtly disapproved of their prior drug use and criminal behaviours, meaning that these mothers entered prison already having a 'spoiled identity' (Goffman, 1963). Previous research identified how the children's caregivers act as "gatekeepers" during parental imprisonment, finding that the presence of a positive mother-caregiver relationship is crucial for facilitating mother-child contact (Nesmith and Ruhland, 2008; Turanovic *et al*, 2012; Barnes and Cunningham-Stringer 2014; Sharratt, 2014; Friestad, 2016; Tasca, 2016). Yet, for the rebuilding mothers, their poor relationships with the caregivers meant that mother-child contact was correspondingly regulated, with none of these women receiving a visit from their children during their current sentence. Drawing on Herek's (2009) conceptual framework, these experiences indicate 'enacted stigma' from the caregivers, through their discrediting of the mothers both verbally and behaviourally. This devaluation of the mothers also meant they were fearful of further discriminatory treatment or 'felt stigma' (*ibid*) which can be better understood through Goffman's (1963) work in which he explains that a 'spoiled identity' brings about a 'reputation' that influences adverse consequences in the future.

As with previous research (Shamai and Kochal, 2008) the mothers in the rebuilding group were working to reconcile and re-establish their relationships after having experienced a “turning point” following their participation on a drugs rehabilitation programme. Abstaining from substances evoked clarity and self-reflection, which meant the mothers were motivated to re-engage with their children’s lives, and had a stronger self-identification with their maternal identity. Previous research on desistance from crime has similarly shown how becoming rehabilitated involves a subjective change which focuses on a more positive future (Maruna, 2001). Though, despite feeling optimistic about their family relationships, in reality the rebuilding group of mothers knew they had to navigate a minefield of sensitive and complex relations with their children, and families, to overcome their stigmatised reputation.

Enos (2001) considered how families may be less forthcoming and supportive over time and with subsequent convictions or continued drug use - as persisting in these activities may cause the mother’s place within families to be increasingly on the periphery. This may be better explained by drawing on Finch and Mason’s (1993) ‘family obligations’ theory in which the subjective meaning and actions which members enact are primarily based on their familial history, reciprocity and interdependence. Within this framework, and considering the closer relationships the disconnected group of mothers reported with their families, it is likely that in the past – and most probably on their first sentence – the mothers in the rebuilding group may also have had more positive family relationships. Equally the disconnected group showed vulnerabilities, which could lead them down a similar path to the rebuilding group in the future, especially considering how difficult mothering in prison can be.

Future research looking into the mothers’ trajectories through multiple prison sentences would be well-placed, as the data here could not trace how these caregiving practices and relationships changed over time. This was because the overall sample was primarily represented by mothers and caregivers (n=25) who were experiencing maternal imprisonment for the first time. The accounts of the mothers in the rebuilding group provide a glimpse into what may unfold in families where the mothers

re-offend, although their participation on the drugs rehabilitation programme and the more optimistic outlook this may have afforded, may only provide a partial view because they were experiencing such a substantial change in their maternal identity. Also, given that mothers in these groups are not static or homogenous, we cannot assume that there is a simple trajectory between the disconnected group and the rebuilding group. Therefore, it is likely that other groups of mothers - perhaps unrepresented in this study<sup>108</sup> - are situated somewhere between the two groups identified in this cohort on a virtual continuum.

Although re-offending statistics indicate that 48 per cent of women reoffend in one year (Prison Reform Trust, 2016), the 52 per cent who do not may include mothers who re-establish some, if not all, of their former role and maternal practices in the home on release. However, the high re-offending rate is concerning because it is likely to cause a harsher and longer-lasting 'family sentence' for the children and families facing repeated separations from mothers who return to prison. If, as we suspect, relationships with the mothers become increasingly challenged and insecure with subsequent sentences – it is possible that some children and families could reach a point where they are irreparable. Enos (2001) suggests that obligations within families may only stretch to a certain point during a crisis when the precipitating member is frozen out or expelled indefinitely. Though this point has not been reached by the rebuilding mothers; the stigmatising treatment they have received from the children's caregivers shows the fragility of their position in the family. Future longitudinal research could examine this process to explore if this weakening of relationships impacts successful mother-child reunification on release and on re-offending behaviour. This research would be timely considering the governments on-going concern for the high recidivism rates, and their recent shift to include 'preparing prisoners for life outside' as one of the four identified purposes of prison (Ministry of Justice (MoJ), 2016a). Arguably it would be interesting to learn how and in what ways reintegration into the home is achieved after the mothers' incarceration – as this

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<sup>108</sup> See later in this section "considerations for future research" which offers a suggestion as to why these two groups of mothers opted into the study.

outcome has likely benefits for prisoners, their children and families as well as society more widely.

This would be especially useful considering that whilst the prison system appeared to encourage the mothers to rebuild their familial relationships through the drugs rehabilitation course, there was little additional support within the penal setting to help them achieve this. No extra visits, telephone calls or letters were given to these mothers, and so instead they were relying on the same prison processes that the disconnected mothers could access, which as we have seen, are wholly inadequate for mothering in prison. Considering how family ties are utilised for reducing re-offending in policy initiatives (see chapter 3), it is possible that rehabilitative programmes are similarly using children and families to hook and attract women onto courses. Meanwhile these incentives are not supported with further provisions or services to guide this reconciliation, which not only indicates little genuine commitment to family ties in the prison setting but may also lead to further difficulties on the mothers' release.

### ***Managing stigma in the community***

Experiences of stigma were not limited to the mothers within the prison environment, but extended to their children and families in the community. This has been conceptualised as 'courtesy stigma' (Goffman, 1963) which is imparted on those close to the individual with a 'spoiled identity' and associating with them. As with other research, this study found that the media often reported the mothers' 'crime' in local and national newspapers (Boswell, 2002; Murray 2005; Shamai and Kochal, 2008) though this study provides new insights into how this affects their families. We learned how the publication of specific details, such as the mother's name and additional information about her maternal status, employment details or home address also left the children and families identifiable. There were disturbing signs that news stories had very little consideration for the children and their welfare or rights. The UN Convention on the Rights of the Child (1989, Article 2) states that children should not be discriminated against because of their parents, though it appears that media reports



overlook or ignore these stipulations with prisoners' children. The Children and Young Persons Act (1933, Section 39 and 49) limits the publicity of minors as victims or witnesses in court proceedings<sup>109</sup>, and yet the same safeguarding practices are not afforded to the innocent children of defendants who are also vulnerable and secondary victims of the crime.

Moreover the publication of the mother's crime was linked to the caregiver's experiences of stigma in their local community; in experiencing bullying and exclusion at school, to neighbours crossing the road to avoid any interactions. The carer's close relationship to the imprisoned mother most likely caused this derogatory treatment, which Condry (2007a) has called "kin contamination". Being recipients of stigma left the caregivers fearful of future stigma which they attempted to manage through different strategies similarly identified in research with individuals in other stigmatised groups (Rogers, 2000; Hughey, 2012). These have included non-disclosure and 'passing as normal' whereby alternative explanations and identities were given to control information-exchange with others. For some grandparents, stigma was experienced at another level which Condry (2007a) named "kin culpability" and resulted in the allocation of blame to these parents for the failure to produce law-abiding citizens. One reason for this could be linked to wider social and policy trends in recent years that have seen a shift towards parental blame, increasing parental responsibility to include, for instance activities like truancy and antisocial behaviour (see chapter 3).

Murray (2005) argued that prisoners' families were given little attention in media and society, though in more recent years we have seen television programmes and documentaries about prisoners' families, such as 'Prisoners Wives' (2012; 2013) and 'Prison, My Parents and Me' (2016). However, these attempts at raising awareness for the disadvantages of individuals with a prisoner in the family may continue to be overshadowed by unsympathetic and intrusive criminal news stories. In particular, academics have suggested how news stories generally report the most serious,

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<sup>109</sup> This information was gained from the Crown Prosecution Service (CPS) website: [http://www.cps.gov.uk/legal/v\\_to\\_z/safeguarding\\_children\\_as\\_victims\\_and\\_witnesses/#content](http://www.cps.gov.uk/legal/v_to_z/safeguarding_children_as_victims_and_witnesses/#content)

shocking and violent offences, whilst fictional crime thrillers in film and television programmes dramatise prison and prisoners (Sparks 1992; Mason 2007; Marsh, 2009). Not only do the populace derive their understanding of crime and punishment from these sources, but it is thought that they are correspondingly influential in political and policy spheres (*ibid*). This is especially likely considering the government has only just confirmed the purpose of prison in the recent white paper on prison reform (MoJ, 2016a). Importantly this study has shown how the punitive social environment that this fosters can extend to the innocent children and families of prisoners.

### ***The initial separation and renegotiations***

The mother's detention was a shock to many of the caregivers and so the initial few weeks were an extremely emotional time. The separation was described as bereavement, which chimes with previous research which has similarly explained how the loss of a loved one to prison can be experienced akin to death (Bockneck *et al* 2009; Turanovic *et al*, 2012). This may be better understood using Boss's (2016) 'ambiguous loss' theory as these family members were grappling with the dichotomy between the physical separation from the mother, though she remained psychologically present within the family. This created challenges for families as they tackled the emotional aspects of this loss, as they also dealt with practical roles and responsibilities (Rodriguez and Margolin, 2015; Boss, 2016).

Drawing on Morgan's (1999) theory of 'family practices', it was apparent how the doing of daily activities, such as ironing uniforms and school pick-ups caused the carer's to acknowledge a change in their role and identities. As we learned from the cohort of mothers, this was necessary because the mothers' ability to participate in daily 'family practices' was especially difficult in the prison environment. These findings have significance for the theoretical application of Morgan's theory, as the focus on actions and activities in the caregiver's discourse illuminates how these practices were strongly intertwined with their own biographies and perceptions. Furthermore, in using this theoretical tool, it was clear how family members emphasised the importance of

'doing' of family activities as a means to respond to their changed and challenging family circumstances.

Usually the arrival of a new child or children into the family through birth or adoption warrants time off from work through parental leave policies, whilst the death of a loved one entitles individuals to compassionate leave. This shows how these life-changing events have social validation; they are recognised and accepted within the policy and society more widely. Yet no such arrangements or facilities are in place for the similar life-changing circumstances that families must navigate following a mother's imprisonment. Consequently Arditti (2016) has asserted that there was very little social verification for the loss associated to parental imprisonment for children and families.

Often family members took care of the children immediately after the court hearing, with no time to prepare or provisions to support them through this dramatic and sudden change. Making matters more complicated, most carers (n=11) had not expected the mothers to receive a custodial sentence. Previous research has indicated that families are often unaware of the high possibility of prison (Boswell and Wood, 2011) but the qualitative insights in this study showed how the carers believed the mother to either be innocent or her offence not worthy of a custodial sentence. These perceptions were intensified and bolstered by legal professionals who had incorrectly advised that prison was a very unlikely outcome.

### ***Court processes***

The findings indicate possible disparities in court processes as legal professionals seemed unable to predict the outcome of the custodial sentence within families in the caregiver cohort. Previous research has suggested that women receive different – and often harsher - treatment at court because it is not only their offence that is on trial, but their capacity as women; as wives, mothers and daughters (Carlen, 1983, 1997; Edwards, 1984). Although the data does not reveal exactly why the legal professionals were mistaken with their claims that the mothers would not receive a custodial

sentence – drawing on previous research two possibilities arise. Firstly, it is possible that strong social and cultural assumptions that criminality automatically makes a woman a ‘bad mother’ contributed to tougher sentencing outcomes for the mothers in these families (Carlen and Worrall, 2004). Secondly, the inconsistent and inadequate use of mitigation and discretion by the judiciary (Wasik, 2001; Jacobson and Hough, 2007; Easton, 2008; Epstein, 2012, 2014; Minson, 2014) could provide another explanation for the custodial sentences being issued unexpectedly. As for instance, the legal professionals may have assumed that these women as primary carers (n= 13) and without prior convictions (n=14) would have been eligible for mitigation or discretion when (incorrectly) determining the likelihood of prison. Although we cannot fully ascertain what happened in the court proceedings for the mothers in the caregiver cohort, the findings point toward previous research, which found the treatment of mothers at court to be unreasonably harsh (Epstein, 2012; Minson, 2014). Therefore, future research would be well-placed to follow and examine this trajectory in more detail.

The findings also showed how the Criminal Justice System (CJS) took little responsibility for managing the family’s expectations ahead of the court case – in highlighting the possibility of prison – whilst similarly leaving them with no information or support after the sentence was issued. Families were not permitted to speak with the mother at court and before she was taken to prison, for instance to discuss childcare arrangements. Neither were they told which prison she would be detained in nor how to navigate the prison system, for instance about organising contact with the mother. Voluntary sector organisations operate in some courts to provide information to family members and make referrals, but these services were pocketed across the country (Raikes, 2016) and so only one caregiver received this support.

Families were astounded to learn that the welfare of the mothers’ children, including their care arrangements, were not mentioned or considered at any stage in the CJS, being shocked that the children were not factored into the decision-making process. This is despite Pre-Sentence Reports (PSR’s) being an established process that maps the

defendants' personal circumstances, including dependent children. Although it has been argued that the children's invisibility could occur because mothers are fearful of state interventions if they disclose their maternal status (Brooks-Gordon and Bainham, 2004), this was not found to be the reason in this study. Instead, family members considered it to be the responsibility of the court and/or other statutory agencies to intervene on behalf of the children and correspondingly urged for changes to these proceedings. These findings chime with, and add further empirical support to initiatives developed by the charity sector which are pressing for legislative changes in criminal court proceeding to include enquires and recognition of dependants ("Families Left Behind"; Prison Advice and Care Trust (PACT), 2015).

### ***Finances and work patterns***

The caregivers' abilities to gain financial support and engage in paid work was especially important considering most families had deteriorating and difficult financial situations. Loss of the mothers' earnings and welfare claims, the everyday expenses associated to caregiving, such as clothing and feeding the children, as well as the additional costs of sustaining contact with the mothers were all problematic factors. Although similar issues were identified in the substantial body of research on paternal imprisonment (Social Exclusion Unit (SEU), 2002; Christian *et al*, 2006; Smith *et al*, 2007; Codd, 2008; Dixey and Woodall, 2012; Losel *et al*, 2012), this study provides deeper insights into the specific issues facing families during maternal imprisonment. For instance, the findings point toward the importance of age in these financial considerations when a mother is imprisoned. Firstly, the children's age requires specific attention because carers were more likely to leave work when the children were younger and pre-school, primarily because of the high cost of external childcare. Yet, several women's prisons have Mother and Baby Units (MBU's)<sup>110</sup> which can house young children (up to 2 years old) with their mothers which brings into question why these young children did not remain in the care of their mothers? Although there is a

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<sup>110</sup> Currently in England and Wales there are six MBUs across the female prison estate in both closed and open security categories. MBUs are designated living spaces allocated for the mother and baby to live together in the prison (see chapter 3).

paucity of research on MBU's and their admission processes, these facilities had not reached full capacity in March 2016 when 35 places of an available 102 were occupied (MoJ, 2016d; see chapter 3). Ensuring the units are effectively utilised may reduce some of the burden placed on the family and allow carer's to remain in employment.

Furthermore, grandparents had assumed a large proportion of the care in this study, and their narratives indicated age-related concerns about leaving paid work for childcare purposes because they were nearing retirement. However, children whose fathers are in prison tend to remain in the care of their mothers (Dodd and Hunter, 1992) who are unlikely to share the same pressing concerns around future earning capacity and retirement funds. Therefore, despite a wealth of research highlighting the financial issues during paternal imprisonment, these findings suggest that families experience different monetary challenges during maternal imprisonment.

Financial discussions must also consider that without these family members assuming care of female prisoners' children, it is likely that many of these children would have become the responsibility of the state. Social services could end up looking after and financing the children's statutory care costs for a large proportion of the 18,000 children experiencing maternal imprisonment every year (Corston, 2007). Temporary foster care costs around £603 per child per week (Curtis and Burns, 2015) so it is clear that the family are saving the government a substantial sum of money and resources every year. With this in mind, it seems unreasonable that the only financial support available to families is the Assisted Prison Visitors Scheme (APVS) which six family members knew about in this study, of which only three had successfully gained access to these funds.

### ***The family sentence***

Other academics have found that researching prisoners' families is a gendered terrain as it is generally women who visit and support their incarcerated relatives regardless of the gender of the prisoner (Condry, 2007a, 2007b; Codd, 2002, 2008). The majority of caretaking was similarly assumed by female relatives in this study, although there was

a small representation of men, including three fathers and three grandfathers who participated in the caregiver cohort. Across the whole sample, children were primarily cared for by their grandmothers (n=17) either solely, or in partnership with another family member, or by female relatives, such as aunties, female cousins and older sisters (n=7) which aligns with previous research findings (Caddle and Crisp, 1997). Interestingly, all these grandmothers and female relatives were maternal kin suggesting that the 'family sentence' experienced during maternal imprisonment may disproportionately impact women on the mothers' side of the family rather than paternal relatives.

A fuller understanding of the 'family sentence' was also achieved in the study because it showed how several family members and friends contributed and supported the carers following the mother's imprisonment. Primarily these individuals assisted through the provision of financial and practical support, and especially by helping with childcare. However, this also meant that disruptions and renegotiations as well as the stress and strain of assuming care of the mothers' children were shared by many individuals, sometimes creating tensions in relationships. In particular challenges arose in balancing time, financial resources and care between the mother's children and the carer's own biological children and/or grandchildren. We learned how these other children in the family experienced serious upheavals in their daily lives and relationships – though it is important to note that these dependants are not counted or considered in estimates that attempt to gauge the number of children affected by maternal imprisonment. It is highly possible, therefore, that substantially more than 18,000 children (Corston, 2007) experience critical disruptions and disadvantages as a result of a mother's custodial sentence every year in England and Wales. Additionally, these findings illustrate how the 'family sentence' extends beyond the dyadic (mother-child) and triadic (mother-child-caregiver) relationships, reaching towards extended family members and friends located within the larger web of familial and social networks.

It is likely that family and friends rallied round and supported the carers because of the lack of assistance offered elsewhere. For instance, those caregivers who approached social services for support found that the 'informal agreement' with the mother to care for the children did not warrant any additional support despite their anxieties around their legal status as temporary carers. Unlike research from US, which found that grandparents were reluctant to gain legal responsibility of the children to protect the mothers' status (Tasca, 2016), the family members in this study wanted confirmation for practical reasons in the children's schools and medical settings. Problems such as this could be a reflection and implication of there being no statutory organisation responsible for prisoners' families in England and Wales who is driving forward inclusive initiatives and support for this population (Williams *et al*, 2012). It could also be because services which could offer guidance, such as the 'Offenders Families Helpline' and 'Family Engagement Workers' within female prisons were not well-known amongst the sample of carers in this study, illuminating potential issues in the promotion of these services. Yet, these inadequacies leave children and families vulnerable to further isolation and arduous conditions, demonstrating how they are serving a punishing 'family sentence'.

### **What has been learnt about female prisons?**

Sustaining or re-establishing family relationships during the mother's custodial sentence was a primary concern for all of the family members engaged in this research. However, throughout the study the family members discussed in great detail their experiences of the prison system and the many difficulties of maintaining contact. Here we look at prison environment and communicative processes in more detail and examine what contribution they make to our understanding of maternal imprisonment.

Having contact was an important way for families to continue *doing* 'family practices' (Morgan 1999) as well as giving family members opportunities to 'display' (Finch, 2007) their commitment to one another. Likewise, research from the US showed how families often wanted to stay in touch during a mother's imprisonment (Barnes and



Cunningham-Stringer, 2014; Tasca *et al* 2016) and similarly found that the prison institution heavily shaped this contact (Arditti *et al*, 2003; Christian, 2005; Enroos, 2011). The qualitative insights gleaned from this study provide deeper insights into the nature and scope of this institutional interference in England and Wales, demonstrating how maintaining communication was a daily struggle for the family members experiencing maternal imprisonment.

### ***Staying in touch; telephones, post and technological alternatives***

Contrary to policy recommendations in Prison Service Instruction (PSI) 49 (National Offender Management Service (NOMS), 2011) this study found that only one third of families in the whole sample had access to a reception telephone call in mothers' first 24 hours in custody. It was disconcerting to learn that most families had to wait up to a week for this call, and that these inadequacies occurred in six different prison establishments – representing nearly half of all women's prisons. Importantly, this reveals troubling and widespread issues in the facilitation of the reception telephone call. However, the reception period has been identified as a precarious time for women, as for instance PACT established a "First Night in Custody" wing in HMP Holloway (see chapter 3) and the Prison Service Order (PSO) 4800 (NOMS, 2008) made particular reference to the importance of the first phone call home. Moreover, the short reception call that was often given was too brief to relay important information about the prison or to discuss childcare arrangements. Consequently the onus fell to the second telephone call, but in many instances this could take a further few weeks to be organised. Similar to other research (National Audit Office, 2013; Her Majesty's Inspectorate of Prisons (HMIP), 2016) access to a second telephone call was often delayed because the administration had failed to set up the prisoners' PIN account.

Postal contact was also dependent on the administrative systems within the prison and similarly experienced delays because of this. For some mothers the regularity of postal contact was reliant on the one pre-paid letter provided by the prison (HMIP, 2016), as funding additional writing material and stamps was expensive, and children's letters were not widely available. The small uptake of letter-writing was also because mothers

preferred to use their available money to finance telephone calls, as this provided real-time conversations and improved interactions with their children. However, financing regular phone calls was also difficult because of high tariffs, and access to telephones varied considerably on different wings within establishments, and across the female prison estate. For instance, in-cell telephones were only available in a handful of prisons, despite mothers valuing these facilities because of the improved flexibility and privacy they afforded.

The findings indicate that the “regular and easy access to mail, telephones and other communications” which is recommended by HMIP (2014; 2016: 4) is not being achieved. Alternative options using technological services to facilitate other forms of contact may improve these services. Arguably mail and telephone calls are out-dated modes of communication in modern society, where sending a text message, or Skyping friends and family have become part of daily life. Yet these facilities are not available to mothers in prison – with steps to implement video-calling being rescinded in 2014 (HMIP, 2016) because of potential security risks. No further efforts have been made to adapt video-calling services to make them accessible to families. Similar to the findings in this study, researchers in the US (Mignon and Ransford, 2012) suggest that internet contact and video-calls may stimulate communication closer to in-person contact and real-time conversations. They also have the potential to overcome many of the problems associated with other forms of contact; such as paying for telephone calls.

Email-a-prisoner is in the process of being rolled out across the prison estate in England and Wales and Sharratt (2014) reported two-way services are being trialled in one male prison, though elsewhere it remains one-way. Email contact was, however, found to suffer from the same administrative delays as mail, because emails are handled and distributed together in the prison. Home leave initiatives, such as Release on Temporary Licence (ROTL) and Childcare Resettlement Leave (CRL) are other possible ways for mother-child contact. However, only a small number of families had access to CRL in this study, which is likely because home leave policies and remit had been significantly reduced not long before the interviews took place (Royal Society of Arts

(RSA), 2016). Decisions to rescind CRL coincided with an increase in male prisoners absconding whilst on ROTL. Media coverage of these events (BBC News, 2016) shaped public opinion and anxieties around the security of prison establishments, sentiments which Mason (2007) explained can also flow into socio-political realities and policies. A similar cycle of events occurred following the Woolf Report (1990; see Liebling 2008), with many recommendations to reform the prison estate in this document being shelved, in favour of more punitive sanctions to communicate to the public that prison riots, including the infamous Strangeways Riot in 1990, would not be tolerated.

Of greatest concern is that these findings point toward a lack of commitment by the prison service in acknowledging and accommodating family life, or the importance of mother-child contact for all parties. Arguably family life does not receive the respect in practice that it is accorded in policy, as the evidence from this study conflicts with the Prison Rules (1999, 4:1) which state that “special attention shall be paid to the maintenance of such relationships between a prisoner and his family”.

### ***The challenges of visiting***

In recent years policy has seemingly supported family contact – and especially visits – because these relationships were identified as key pathways to help reduce re-offending (PSI 16, NOMS 2011; see also SEU, 2002; Home Office, 2004; MoJ and Department for Children, Schools and Families (DCSF), 2009; Criminal Justice Joint Inspection (CJJI), 2014). Yet, visiting facilities were laden with problems and inadequacies. By drawing on Morgan’s (1999) theory of ‘family practices’, we can appreciate more fully why the strict regulations around the mothers’ interactions during the visits could be severely detrimental for families. Being unable to get up, move around and play with their children substantially reduced what practices and activities the mothers could effectively *do* during this time, and removed valuable opportunities to perform their mothering role. For this reason, families preferred the family visits or family rooms; as these facilities were more relaxed and informal, facilitating more opportunities to *do* ‘family practices’, such as sharing a meal together and playing. Nevertheless, despite being highly valued and appreciated, family visits

were not immune from institutional and administrative problems, such as staff shortages, delays and over-subscription. Whereas, family rooms were not widely available across the prison estate, or well-publicised to families which may explain why there was little uptake of this facility in the study.

We have already seen how the prison environment was causing many mothers to feel disconnected from their children and from their maternal identities. It is conceivable that these poor visiting provisions could further damage or hinder the development of positive mother-child relationships. This is despite visits having the potential to offer mothers both the time and space to engage in their mothering role, which would be a freedom they are not generally permitted as prisoners. Nonetheless, the restrictive environment quashes opportunities to interact and (re)build meaningful relationships, and restricts easy access to facilities, such as the family room or family visits. This is perhaps another aspect of the double punishment that ‘bad mothers’ receive for their so-called crimes against motherhood (Carlen and Worrall, 2004). Though, even if we assume that women in prison are not being treated as ‘bad mothers’ - the poor processes and limited facilities are still far from satisfactory.

### ***“Good” behaviour and the smokescreen of the privilege system***

Contact was also heavily shaped by the Incentives and Earned Privileges (IEP) scheme. This was introduced to allow prisoners to “earn additional privileges through demonstrating responsible behaviour” (PSI 20, NOMS 2013: 5). Yet, it was clear how the IEP system also functions independently from the subjective behaviour of the prisoners. Newly received prisoners are automatically placed at “entry level” at the lower end of the IEP scale meaning that from the very start of a prison sentence – and before any opportunity to demonstrate behaviour of any kind - telephone contact with family was restricted because this IEP status only allowed a limited amount of money to be added to PIN credit (see chapter 2 for further IEP discussions). For the mothers, this so-called privilege system affected how often they could call their children in the first weeks, the length of their conversations and thus, the quality of contact that could be achieved.

Goffman's (1961) concept of 'total institutions' provides valuable insights into the use of privilege systems in prisons. Of particular relevance is his suggestion that privileges are purposively intertwined with communications and used as "strategic leverage" between the inmates and the outside world (*ibid*). Within these institutional environments even the most basic amenities are removed from the inmates, and so taken-for-granted things, such as a family contact, become an extremely effective mechanism to instil compliance. Indeed we saw this "strategic leverage" in motion as the mothers' IEP status controlled their finances not only on entry to the prison but throughout their sentence - as the amount of money they could spend on the phone and/or use to pay for letter-writing materials continued to be regulated. If we considered how these processes played out in children's lives, it could be argued that the privilege system undermines their rights to family life (United Nations Convention on the Rights of the Child (UNCRC), 1989). Therefore, combining rights and rewards in this privilege system raises moral, ethical and legal questions for prisoners' children and families.

Another feature of 'total institutions' is that they operate for their own purposes, rather than accommodating the subjective needs of the inmates (Goffman, 1961). This may explain why, despite pledging that the IEP system would award privileges based on reasonable behaviour, the findings indicate that many provisions remained outside of the mother's control. For instance, it did not matter what rung in the IEP scale she was positioned at – high or low – the telephone tariffs remained high and continued to restrict the maintenance of meaningful contact with children. Similarly 'total institutions' strip inmates of their former identity, roles and responsibilities on entry to the establishment through the process of "role dispossession" (*ibid*). This can cause tensions to arise between the women's prisoner and maternal status's – and especially when the former supersedes the latter. This happened for one mother who had to participate on the drugs rehabilitation programme as part of her sentence plan, but in doing so, also had to forgo face-to-face contact with her children because the establishment running the course was over 250 miles from her hometown. Worryingly

this demonstrates the strength, and precedence, of a prisoner identity over motherhood and family contact in the prison setting.

Previous research has found evidence of inconsistent, subjective and discretionary assessments of prisoners by officers, which is concerning as these members of staff have the authority to award or remove privileges in prisons (Liebling, 2008). Although officers were not mentioned in the administration of IEPs in this study, this may be an important factor to consider in future research. Consequently, the findings from this study support Guenther's (2013) assertions that presuming prisoners can actually steer their treatment through good behaviour is idealistic. This is especially apparent when prisons remain impermeable, functioning of their own needs rather than accounting for the familial roles and responsibilities of mothers detained there. Linked to this, Liebling (2008) has questioned where the line between "privileges" and "rights" should be drawn for prisoners, which is especially relevant here, when we consider how these "privileges" affect innocent children and families wishing to have contact with an imprisoned mother.

### ***Who are we punishing?***

Questioning the rights of family members is especially relevant when we consider how penal restrictions shape the frequency, nature and scope of contact, which children and families can access and achieve. Telephone systems are one-way (HMIP, 2016) which means children and families have no opportunity to call the mother and speak to her on their terms. Visiting times and days are chosen by the prison, with most establishments providing the majority of slots on weekdays which are near impossible to attend because they clashed with school pick-up times. Furthermore, despite being the ones who undertake lengthy and costly journeys to visit the mother, family members have no say in decisions about the location of the prison the mother is detained in, meaning that on average, mothers were held 68 miles away from their homes. We also learned that the long distances that families travel for visits do not automatically or necessarily warrant the mothers' transferral to a prison closer to her

hometown. This was despite fuel and food for the journey being expensive and further burdening the families' already strained financial situation.

Stringent searching procedures made the carers uncomfortable, and feel as though they were being treated as prisoners. They acknowledged their precarious status, much like Codd's conception of "quasi-inmates" (2008:60), but extensive and unnecessarily intrusive practices have the potential to overshadow and exacerbate the visiting experience. We have seen how the children's carers play a principal role as "gatekeepers" to mother-child contact and yet these stigmatising search processes could affect the frequency of visits, or worse, hinder and prevent face-to-face contact. The family member's perceptions of their treatment not only indicate their sensitivity to their highly stigmatised circumstances – probably reflecting their experiences in the community – but also illuminate how the effective delivery of prison processes hold particular importance in the preservation of these family relationships. It also points to a very different set-up to the "*relaxed and informal*" environment that the prison service had envisaged in their guidelines (PSI 16, NOMS 2011:9 italics original).

Reviewing *whose* rights are being prioritised in these processes is imperative because this study found how it is not just the mother who is being punished by the incarceration but that her relatives are simultaneously serving a 'family sentence'. Increasingly commentators are drawing on the UNCRC (1989) to argue that the children's rights ought to be reflected within the prison system, as this states that children have a right to family life and to contact with their parents (Epstein, 2012; Sharratt, 2014; see chapter 2). European policies have stipulated that the best interests of the child should be examined and balanced in all areas of social life (European Convention on Human Rights (ECHR); UNCRC, 1989), and yet prisoners' children do not appear to receive this precedence in the prison system when there are no risks associated to them sustaining contact with their mothers. This is despite a government document (MoJ and DCSF, 2009) asserting that social visits and family visits should be child-centred.

## **Key conclusions and recommendations for policy and practice**

This study has revealed how family members both inside and outside prison experience, negotiate and perceive their lives to have been disrupted and disadvantaged by maternal imprisonment. They have been open and informative about how the prison sentence has affected their everyday practices, their identities, roles and responsibilities, whilst placing enormous strain on their family relationships. They also had concerns and problems navigating the many obstacles in the Criminal Justice System (CJS) following the mothers' removal to prison in the first weeks and then in sustaining frequent and meaningful contact throughout the sentence. It was clear that the prison sentence permeated the lives of several individuals within the family – not just the convicted mother. The findings have responded to the research aims, which sought to explore maternal imprisonment from a family-centred perspective and critically examine female prisons to understand how processes in this context affected mothering and family life. Given these insights, the following conclusions and recommendations have been drawn.

### ***Key conclusions***

Firstly, this study provides strong empirical support for the argument that a mother's imprisonment is experienced by family members and children not accused of any wrongdoing, leading to the development of the concept of a 'family sentence'. We have seen how the process of incarcerating women cannot be divorced from their roles and responsibilities as mothers, and that children and families experience extensive upheavals and disruptions in their lives as a consequence of this detainment. Moreover, the findings have improved our understanding of the nature and scope of this 'family sentence'; shedding light on the many disadvantages facing families, and especially maternal female kin, when the mother had been a principal caregiver prior to receiving her first custodial sentence.

Secondly, this study found marked differences between policy rhetoric that pledged support for family ties (Home Office, 2004; MoJ and DCSF, 2009; PSI 16, NOMS 2011) and the accessibility of sustaining family relationships in reality. Being in prison



automatically interferes with family life and motherhood, yet this was made more difficult because the prison environments failed to support and prioritise family ties. Administrative delays and inconsistencies across establishments, privilege systems as well as the inadequate prison processes by way of mail, telephones and visitation were evidence of this. Yet, despite doubly punishing mothers – these processes are unlikely to reform ‘bad mothers’ into ‘good mothers’. On the contrary, they are likely to have destructive, longer-lasting implications - and especially as prison was found to substantially deconstruct maternal identities. This appears to undermine a key purpose of prison, which is to prepare prisoners for life outside (MoJ, 2016a) because in most cases, these mothers will be reintegrating back into their families and societies once their custodial sentence is served.

Finally, prescriptive and normative assumptions around crime and motherhood, and a continuing lack of social validation for prisoners’ families’ places these individuals in a highly stigmatised and vulnerable position. Children were not mentioned during court proceedings, whilst access to support and information was problematic for family members because they were unsure where to turn for help in either the CJS, or society more widely. If we considered these systemic and institutional processes from the perspective of the mothers’ innocent children, we would see how their welfare needs are being critically overlooked and their rights substantially undermined.

### ***Recommendations***

One of the study’s objectives was to formulate family-centred recommendations to inform and shape policy and practice in female prisons in England and Wales. Therefore the six recommendations that ensue are intended to respond directly to the issues highlighted by the families in this study. Theoretically speaking, the principles guiding the recommendations are attempting to move towards an improved set of provisions and approaches to support family life in prison. However, I recognise that some of the recommendations may also require further development and consideration to allow them to move from paper to practice and policy. With this in mind, my aim here is to provide the foundations for future building blocks; to

encourage discussions which could lead to the formation of ideas which will enable positive, family-focussed change.

It is important to note that many of the recommendations would be applicable to the whole prison estate – not just mothers – as they have the potential to help all prisoners to sustain contact with their families and loved ones. That being said, as this study has focussed on mothers in prison, the proposals tend to reflect what would directly and better improve provisions for families in this particular situation. It was also mentioned previously (see chapter 3) that some children and families will benefit from the removal of a mother from the home if their behaviour or offence was causing harm or distress to her relatives. Therefore, although these recommendations will be applicable to many families in similar situations to those involved in the study, it should be remembered that as with any population, the members are not homogenous and so appropriate measures, such as Multi-Agency Public Protection (MAPPA<sup>111</sup>), remain necessary in certain cases. At all stages and in accordance with UNCRC (1989) the primary consideration should be rights and safety of the child, and what is in their best interests as arguably prisons have a moral and legal duty to ensure these are prioritised.

Furthermore, at policy level, it is important that the lessons learned from this research feed into Prison Service Instructions (PSIs) as these are the central point of reference and guidance for prison establishments. However, on occasion the recommendations raised here already exist in PSIs, which means that these issues require additional attention, improvement and application in practice. For PSIs to work as intended they need to be effectively implemented on the ground and so these recommendations iterate a need for the systematic uptake of these instructions.

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<sup>111</sup> MAPPA is a means to assess the risk posed by violent or sexual offenders.

**Recommendation 1: Form a unit in central government tasked with taking responsibility for prisoners' children and families.**

As highlighted and suggested elsewhere (Mills and Codd, 2007; Codd, 2008; Women's Breakout, 2016) the first recommendation proposed seeks to address the invisibility of prisoners children and families in central government. This is because the findings showed a lack of social awareness, sympathy and validation of prisoners' children and families and their disadvantages. Not only is this likely a reflection of norms and expectations around motherhood and crime, but also because no statutory body takes responsibility for this group in England and Wales (Williams et al, 2012). Children and families therefore remain on the periphery of the CJS with policy and provisions having no official body advocating their needs and rights or driving forward change on their behalf. This also means that there is no systematic recording of information about prisoners' families, no way of identifying vulnerable family members and children and thus, no real chance of gearing provisions and services towards them.

Important steps towards recognising, advocating and representing the family members of prisoners could be made through the formation of a unit (or at the very least a committee) in central government. Located within the Ministry of Justice (MoJ), the unit would be tasked with heading up and having accountability for this population. It has been argued (Action for Prisoners Families, 2004; Mills and Codd, 2007) that there was a missed opportunity for action following the inclusion of "Children and Families" as one of the seven pathways in the "Reducing Re-offending Action Plan" (Home Office, 2004) because the creation of a unit similar to what is being proposed here would have been an appropriate and timely response to their addition to the agenda. Nonetheless, this does not preclude its development now and especially in light of these research findings which clearly indicate how children and families continue to remain invisible in social, penal and policy considerations.

Drawing on the knowledge and expertise of voluntary sector organisations, academics and practitioners in the field, this unit would have the potential to have synergies in

the community as well as with colleagues in MoJ and National Offender Management Service (NOMS) for effective knowledge exchange and joint working. By improved representation, children and families may stand a better chance of being included and recognised in CJS policy and practice, and processes have the potential to become more family-focussed. A key part of this unit's role would include monitoring how prisons were implementing family-friendly policies, for instance by drawing on Her Majesty's Inspectorate of Prisons (HMIP) reports; sharing good practice, identifying areas for improvement and offering practical solutions. This would also mean working closely with NOMS and MoJ as they begin their restructuring of the female prison estate in the coming five years as highlighted in the 'Prison Safety and Reform' white paper (MoJ, 2016a). Being heavily informed by the Women's Estate Review (2013), these changes are developing local prison sites for women prisoners to provide improved opportunities for family contact. As this study indicated, the location and transferring between prisons has serious implications on the families' ability to participate on visits and stay in touch. Therefore, a children and families' unit would be well-placed to work in partnership with relevant policy and prison practitioners to advise and consult so that family-orientated reforms are effectively implemented.

### **Recommendation 2: Enforce the use of Pre-Sentence Reports (PSR's) in criminal court proceedings**

Flowing from the sentiments above, the second recommendation also proposes a greater and official recognition of prisoners' families top-down, and specifically in criminal court proceedings. Initiatives by the "Families Left Behind" campaign (PACT, 2015) have pressed for changes in court legislations and indicate the importance of considering dependants in the courtroom (see also Women's Breakout, 2016). This study similarly found that children and families were not routinely mentioned or considered at court when a mother, and often primary carer, was facing a custodial sentence. Pre-Sentence Reports (PSRs) are an established procedure in courts that can include information about the defendants' background, including children and family circumstances. However, if PSRs are not routinely requested by the presiding judge

then mothers' may not be identified as mothers, and her children are absent from the proceedings. This may also mean that children may not be adequately considered when there are opportunities for discretion and mitigation as part of the "balancing act" that is supposed to take place (Epstein 2011, see chapter 2). Thus, enforcing the application of PSRs would help to address this lack of visibility and recognition for prisoners' children and families in criminal court proceedings. Of course, some mothers may still attempt to hide their children in PSRs out of fear of unwelcome interventions from social services (see chapter 2), though their presence in the courtroom will also be appreciated by many others.

Additionally, childcare arrangements should be agreed by the mother and relevant parties (partners, family members and/or social services) prior to the court case and the names and contact details of the temporary caregivers should be formally recorded within the PSR. The best interests of the child should be prioritised within these decisions in accordance with UNCRC (1989) and where appropriate, children should be included in decisions which affect them.

### **Recommendation 3: Improve informational provisions for family members in the Criminal Justice System (CJS)**

The findings indicated that family members did not know where to turn for information, support or guidance after the mother was sentenced to prison. The CJS processes were unknown and complicated, and families were unsure how to navigate through the prison system – making the initial weeks even more challenging and distressing. The third recommendation therefore proposes simple steps that could be taken in courts and prisons to provide more informational support to families.

- *In courtrooms* - Information about national services, such as the 'Offenders Family Helpline' and Assisted Prison Visits Scheme (APVS) should be easily accessible to families and be clearly visible on noticeboards in *all* courts. Initiatives run by voluntary sector organisations in which a practitioner is stationed in courts to support and guide families following a custodial sentence

should be rolled out nationally, and given the financial backing that is required to make it accessible in all counties.

- *From prison establishments* - With the prisoners' permission<sup>112</sup>; prisons should give newly received prisoners the opportunity to post 'Free Information Packs' to their families within the first 24 hours in custody. Included within these packs should be up-to-date and relevant information about the individual establishment, national provisions (as above) and contact details of the Family Engagement Worker (FEW) at the prison. Clear explanations about how to stay in contact should be outlined, such as; information about visitation days, times and lengths; booking procedures; telephone contact; letter-writing (including email-a-prisoner); and the availability of family visits. Appropriate information about preparing for the first visit should describe the visitor's centre, searching processes, child-friendly provisions (such as play area facilities) and list prohibited items. This is particularly important considering family members were anxious about their first visit to the prison because they had little awareness of what to expect. These information packs should also be available to family and friends in the prison visitor's centres and where possible published on relevant websites online<sup>113</sup>.

These first three recommendations are not necessarily new but they are areas which, in my view, require the most immediate attention and implementation. I appreciate that some time may be required to allocate resources and develop a 'children and families' unit in central government, and co-ordinations nationally will be required to ensure the uptake of PSR's in courts and improved facilities in courts and prisons for sharing information with family members. However, the recommendations have the potential to adjust the way in which families of prisoners are treated by those charged with the responsibility of managing offenders, and could help to alleviate some of the

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<sup>112</sup> Gaining permission from the prison should mitigate any issues with data protection.

<sup>113</sup> For instance, Inside Time routinely publishes information on their website about the different prison establishments including relevant information about the regimes and regulations. Therefore, up-to-date details from the information packs about maintaining family ties could be shared on this website.

issues currently facing families serving the ‘family sentence’. Out of principle there ought to be top-down representation of prisoners’ children and families in central government and in the courtroom as the legal setting and conduit which responds to law-breakers in our society – which is surely overdue.

The study also identified several inadequate practices and provisions in the prison regimes which would benefit greatly from a little more attention. Making small, but well-considered changes that are guided by an increased awareness of family members could be effective at reducing the distress experienced in families and facilitate better opportunities for meaningful family contact. These issues are identified in the next recommendation meanwhile indicating how everyday processes would require relatively little adaptations to address the limitations reported in this study.

**Recommendation 4: Ensure policies and operations in the prison regime are family-friendly**

This study has shown how family relationships were not being prioritised within day to day operational and administrative processes in the prison regime, often undermining or hampering family contact.

- *Encourage an improved awareness of family ties in operational processes -*  
Findings indicate that processes within the prison regime delayed or restricted family contact. For instance, staff shortages led to the mothers being locked up earlier and unable to access telephones on the wings. It was also found to create delays at visits (social and family) which hindered searching procedures and curtailed the family's visiting time. Similarly delays in sorting and distributing incoming and outgoing mail, including emails, were found to delay and obstruct written communications between family members. Clearly the system of delivery needs to be carefully thought out and adapted to ensure that operational aspects of the institution are aware and considerate of family ties. A greater awareness of family relationships in staff training and greater

prominence of these relationships in PSI's is required so that family-friendly initiatives can be better integrated into the daily prison regime.

Telephones offer the potential for frequent and real-time contact during maternal imprisonment. However, several problems were identified with the facilitation of telephone contact by the families in this study, which undermined their attempts to establish contact in the first weeks and to remain connected around the prison regime.

- *Enforce the facilitation of a reception phone call* - Findings from this study indicate that the provision of reception telephone calls were inadequate, inconsistent and not delivered in accordance with the PSI 49 (NOMS, 2011). Not only did this mean that important opportunities for families to discuss childcare arrangements were missed, but information about visitation and the prison establishment were not relayed which further delayed future contact. To resolve this, the importance of the reception call for mothers and their families, as well as the distress caused when it is not facilitated, needs to be better communicated to those individuals operating the reception facilities during training. This increased awareness coupled with more stringent recording and accountability of the provision of reception phone calls would help ensure that families can re-connect and communicate soon after the mothers' detainment.

Visits should be organised, managed and delivered with every effort being made to prioritise the maintenance of positive and meaningful family ties. A key part of this is ensuring that visiting procedures and environment are operationalised in a respectful and dignified manner.

- *Booking facilities should be user-friendly* – The findings showed how family members struggled to organise visits because there were limited opportunities to telephone the prison to book their place, with phone lines often being busy and engaged. To resolve this, families should be given adequate opportunities to telephone, with lines being open for several hours on different days in the week. The online booking system should be rolled out to include all prison



establishments so that all families can access this service. Booking facilities should also be accessible in the visitor's centre so family members can schedule future visits in person.

- *Sensitively manage visiting processes* – Visiting can be stressful and emotional for family members. The first visit was found to be especially anxiety-provoking which could be reduced through the provision of clear details outlining the set-up in information packs (see recommendation 3). We learned how some caregivers were uncomfortable with the searching procedures, feeling they were being treated like prisoners despite understanding why they were necessary. Searching before visits is an essential process for the security of the prison and the protection of those within. The level of security or methods of searching are not in question here, but the manner in which they are conducted. These procedures can be carried out with respect and dignity, and as we saw in one family can be performed in child-friendly ways, though at present this is not happening everywhere and/or at all times. Appropriate staff training and operational practices need to sensitively manage the visiting procedures to ensure that the focus and delivery of these facilities are not unnecessarily intrusive; but balanced so they remain both family-friendly and security conscious. I appreciate this can be a difficult line to toe, but it is imperative for the maintenance of meaningful family ties, which has the potential to shape future relationships.

The study also identified areas of good practice, and the next recommendation highlights these and proposes their expansion and wider implementation across the prison estate. At present there is a great deal of inconsistency in the running of prisons, and this substantially affects how families experience maternal imprisonment and can sustain meaningful contact. Therefore, the points raised in the next section are motivated by the principle that all children and families should have equal access and opportunity to make the most of effective facilities. Given that these initiatives are already developed and operational in some prisons, it is likely that any security

considerations, including ways to apply and manage the facilities, could be shared to smooth the way for them to be rolled out and/or expanded quickly and efficiently.

**Recommendation 5: Extend effective provisions that facilitate family contact so they are accessible and consistent across the prison estate**

- *Roll out in-cell telephones nationally* – Findings from this study and elsewhere (National Audit Office, 2013; HMIP, 2016) indicate that in-cell telephones offer improved family contact. This facility was widely valued as it provided privacy during conversations and improved access and flexibility for calling home. At present, only a couple of female prisons have in-cell telephones making this a scarce resource. Therefore it is recommended that in-cell telephones are rolled-out nationally so that every prison has this facility, as it would be advantageous for all families, and especially for parent-child contact.
- *Reinstate the distribution of children's letters* – Although one pre-paid letter is given to prisoners each week, this may not facilitate adequate parent-child written contact, and especially when there are several children who are living in different households. Out of recognition for this, children's letters are supposed to provide parents with one additional pre-paid letter and envelope per child every week. However, only a few mothers were aware of this family-friendly provision in this study indicating that this facility is not widespread or well-known by family members. To address this, PSI's should include guidelines to formalise and ensure distribution of children's letters takes place, and prisons should engage in this initiative to promote and support improved parent-child contact. This would also acknowledge a child's right to family life, as stipulated in UNCRC (1989).

Visits provide a unique and special opportunity for families to come together, but because these take place within the prison establishments they were found to be heavily governed by the institutional environment and regulations. However, there

were also signs of good practice that effectively facilitated meaningful mother-child contact which should be extended across the wider prison estate.

- *Increase the number of weekend visiting times* – Weekends visits were found to be busier because unlike weekdays, they did not conflict with school and work schedules. However, because of this the caregivers found it more difficult to secure a place on weekend visits, and the larger numbers of visitors slowed the searching processes and shortened the amount of time families could spend with one another. Therefore, prisons need to recognise that weekends are popular, and should offer more visiting slots and appropriate staffing numbers to respond to this demand.
- *Develop and expand the provision of family rooms* - It was concerning to learn how mothers could not move from their chairs, play or engage with their children during visits. Although all the prisons had play facilities, only one establishment allowed mothers into this space and even then, this had to be pre-arranged and only lasted twenty minutes. Yet, many of the issues raised by the families could be effectively addressed by lifting restrictions on the mothers' movements by introducing more family rooms. Although only a few family rooms exist within the female prison estate, they were highly valued by those families who had the opportunity to hire them. They permitted mothers to move around and play, and were also available at the same time as social visits in an adjacent room. Introducing larger family rooms that accommodate multiple families per visit would make these facilities more widely available and increase opportunities for mother-child interactions. Family rooms have the potential to enhance the visiting experience and help to (re)build positive and meaningful relationships during the sentence. It is an initiative that could also be advantageous to fathers in the male prison estate.
- *Increase the number of family visits* - These extended visits were highly valued by the families, and specifically the mothers were pleased they could get off their chairs, move around and play with their children. Correspondingly family

visits were extremely popular amongst families but this meant that they were often over-subscribed. Generally, prisons hold one family day per school holiday<sup>114</sup> or monthly, and so if a family is not able to attend one day, they must wait another 4-6 weeks for the next. In response to this high demand, prison establishments need to extend the provisions of family days so that every mother and child can participate at every available opportunity.

Moving forward and taking into consideration technological advances in recent years, prison regimes could also integrate alternative and extended modes of contact. Although some efforts have already been made in this area, for example through email-a-prisoner, there is much more that can be done to update the provisions available in prison to the twenty-first century and improve opportunities for family contact. Evidently there are security risks around allowing prisoners access to the internet or video-calling which would need careful consideration prior to being trialled. However, the final recommendation proposes ways to update the prison system and attempt to integrate these technological provisions for the benefit of children and families.

**Recommendation 6: Advance and improve technological provisions to make family contact more available and accessible**

- *Reduce the cost of telephone calls* – Current telephone tariffs within the prison estate are higher than the national telephone rates in the community (PRT, 2006). Telephone calls are an essential way to stay in touch yet families in this study explained how mothers were struggling to afford to call their children frequently and for any length of time. To address this, the prison system needs to contract telephone service providers who offer the best tariff deals to ensure that families do not get further punished or disconnected because they are grappling to finance phone calls.

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<sup>114</sup> Most prisons hold multiple family visits during the summer holiday.

- *Introduce incoming calls from children* – The issues highlighted above concerning the cost of telephoning could also be addressed by introducing facilities which permit incoming calls from children to their mothers in prison. It could also provide new and improved opportunities for frequent family contact and give children a means to speak with their mothers on their own terms, meanwhile acknowledging their rights to family life (UNCRC, 1989). Evidently this proposal would need to be further developed to safeguard children and ensure sufficient security measures could manage this facility in practice. Indeed, it may be appropriate to consider this function alongside the implementation of in-cell telephones.
- *Facilitate two-way emails* – Systems to facilitate two-way contact via email are already being trialled in the male estate (Sharratt, 2014) to overcome security issues and develop appropriate measures to monitor this contact. Although the findings indicated little utilisation of email-a-prisoner in this study, it is likely that improved services which are affordable, fast, reliable and accessible would make this more popular. In particular, we would expect this to be preferred in families with teenagers who could engage in conversations with their imprisoned parents using smart phones or tablet devices. Improved opportunities to promote this initiative to prisoners' families (see recommendation 3 above) may also improve awareness and uptake of this service.
- *Re-introduce facilities for video-calling* – Offering face-to-face contact using video calling has the potential to substantially improve the quality of mother-child contact. Real-time conversations and interactions may allow families to connect and communicate more effectively, whilst being a cost-efficient alternative to paying for prison visits and telephone contact. Video-calling has successfully been implemented for legal purposes, and although there may be higher risks involved in calling kin which require additional consideration, serious attempts to overcome security issues for family contact should similarly be prioritised and trialled.

Of course there are likely financial and resource implications for many, if not all of the recommendations listed above. Such *costs* may make these improvements less attractive to the government and prison Governors already struggling to manage the public purse and ever-dwindling penal budgets. Investing in prisoners' family ties, both ideologically and financially has the potential to raise "soft on crime" narratives which has arguably caused governments to shy away from this approach in the past (see chapter 3). However, weighed against the other *costs*, including other economic costs such as social care for those children without families to look after them during their mother's imprisonment and the expense of paying the prison place of a re-offender, as well as social, familial and humanitarian costs as exemplified in the narratives of the caregivers in this study; perhaps family-friendly developments to the prison estate are more inviting, worthwhile and cost-effective than it may have first appeared. This is especially relevant considering forecasts have suggested that the prisoner population may continue to swell in the coming years (RSA, 2016), conceivably causing more children and families to experience the imprisonment of a loved one and more public money to be spent on developing and retaining expensive prison facilities.

### **Considerations for future research**

The value of engaging directly with imprisoned mothers and caregivers in the search for an improved understanding and awareness of the experiences of maternal imprisonment in England and Wales are apparent in this research. Although we have gained important and detailed insights into the difficulties surrounding a mother's detainment, there are still gaps in our knowledge. In this respect, it is hoped that future research will seek to represent and incorporate the voices of imprisoned mothers and their children and families to build on these initial explorations.

Firstly, there is a paucity of research examining the experiences of children and young people whose mothers are incarcerated. Despite a growing number of studies engaging with prisoners' children in recent years, we have learned in this study how the different circumstances that surround a mothers' imprisonment can lead to different experiences to paternal imprisonment. The initial proposal for this study had aimed to

identify and include young people, though the challenges in recruiting family members (see chapter 4) meant that this was not feasible within the available resource and timeframe. Nevertheless, future research that prioritises the perspectives of female prisoners' children would likely produce important and nuanced insights into this under-researched area.

Secondly, having recruited the caregivers primarily through the visitors centre meant that this cohort was predominantly made up of families where the mother had been the primary caretaker and was serving their first sentence (n=13). This is likely because by identifying families in this space, I was mostly meeting families who were facilitating and attempting to maintain mother-child contact. Whereas, and as we have seen with the rebuilding group in the mothers cohort, caregivers may be more reluctant to facilitate mother-child contact when the mother has had several convictions. Under these circumstances, researchers should keep in mind that although prison visitor's centres can provide a useful space to recruit prisoners' family members, a skewed sample may be generated as it cannot identify those families who do not wish to maintain contact with the prisoner. Further, and as with this study, recruitment through the visitors centre may also preclude the inclusion of children and families where the child is being looked after in social care. Although many children are permitted contact with their mothers whilst in social care, they sometimes visit outside of the pre-determined social and family visits times and may therefore be missed by researchers guiding their recruitment around these visiting times. Nonetheless, considering no previous research has engaged directly with the caregivers looking after female prisoners' children in England and Wales, there is still much to be gained from the insights gleaned in this research.

Thirdly, the cohort of mothers was also over-represented by mothers serving their first sentence (n=10), as snap-shot statistics indicate only one quarter of all women are in prison for the first time (PRT, 2016). One explanation for this could be that these women, as primary caregivers prior to their sentence, had stronger self-identification with their maternal identity. They may have opted into the research because posters

and leaflets inviting mothers to participate were premised on the headline question “Are you a Mum?” (see appendix F). This sampling strategy potentially (and inadvertently) excluded those mothers who did not self-identify as mothers at that time - perhaps because they were expelled from, or on the periphery of their family, or not in frequent contact with their children. Future research may be mindful of this when sensitively preparing recruitment strategies for research as imprisoned mothers are not a homogenous group.

Research from the US found cultural differences in the experiences and response of families during maternal imprisonment (Enos, 2001). In this study, the sample was predominantly made up of British or white British participants, despite 26 per cent of the whole prison population being from an ethnic minority group (PRT, 2016: 8). Thus, a greater representation of family members from a wider range of ethnic and cultural backgrounds may reveal new and interesting insights into maternal imprisonment. Furthermore, researching the familial lives of foreign nationals<sup>115</sup> who are also mothers would help us understand how this sub-group, currently estimated at 13 per cent of the whole female prison population (PRT, 2016: 8), and their families negotiate and experience maternal imprisonment across nations.

Finally, this study critically explored operational processes within the prison setting which contributed new and interesting insights into maternal imprisonment. However, it was also apparent that the other stages in the CJS play a prominent and important role in shaping familial lives and experiences. We gained some insights into court processes from the caregivers, though further research examining the treatment of mothers in criminal court proceedings – especially as ‘bad mothers’ - may reveal more knowledge about these practices. Similarly, the findings from this study were produced from one interview with each participant and so it is difficult to ascertain long-term

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<sup>115</sup> According to the Prison Reform Trust ((PRT) 2016: 7) “the term ‘foreign national prisoner’ encompasses many different people. They may have come to the UK as children with parents, or be second generation immigrants; they may be asylum seekers or been given indefinite leave to remain as a refugee; they could be European nationals; those who have entered the UK illegally or were in the UK as students, visitors or workers who have got involved in the criminal justice system”.



implications of the 'family sentence'. A longitudinal qualitative study which tracks families through the CJS and following the mothers' release may produce valuable insights into this trajectory and its challenges over time.

Overall this study has produced rich insights into maternal imprisonment. It has demonstrated how incorporating the voices of family members can provide a greater understanding of these complex family circumstances in England and Wales. Even so, the issues raised in this study pose a challenge for social policy, prison establishments and society more widely. At present, family relationships are only discussed in relation to their supportive function for prisoners – both during the sentence and to reduce re-offending. However, this study has shown how motherhood is severely thwarted in the penal setting, whilst the processes simultaneously punish the mothers' innocent family members and children in the community. In responding to this, steps should be taken to reduce the harm that is inflicted on these individuals in the CJS, which involves acknowledging, and assuming more responsibility for their rights and welfare needs. If we are truly committed to prisoners, their families and their future reintegration into society then measures need to be family-focussed and delivered in an adequate and non-stigmatising way. Not only will this involve adapting and improving many existing processes in the CJS, and particularly in prison establishments, but radically rethinking the way that family ties are considered and prioritised.

## Appendices

### Interview schedule for mother's cohort

#### **BEFORE INTERVIEW - Introduction and confirmation of informed consent**

Thank you for coming and agreeing to take part in the interview. Before we begin, I just want to go through a few things to double check you're happy to continue...

- Do you understand what the research is about?
- I want to make sure you are clear that taking part in the research will have no impact (good or bad) on your prison sentence? This includes things like your IEP status and prison length.
- Do you understand that taking part in the interview is voluntary?
  - Do not have to answer all the questions – you can say 'pass' or 'next question' if you wish at any point and this is completely fine
  - You can also ask to pause or stop the interview at any point if you wish
  - Can withdraw from the interview at any time
    - It will be strictly between you and I if you decide to do this
    - There will be no negative implications for withdrawing
- The interview is strictly confidential
  - Anything said here will be kept between you and me and no-one else will have access to the recorded conversation.
  - I will type up (transcribe) the interview at a later date and again, it is only me and my supervisor who will be able to read what was discussed here
  - However there are some things that if you disclose in the interview, I am bound to report to the prison. These were listed on the consent form (*point to it and/or re-read if necessary*). I just want to check that you are clear about this?
- During the interview I want you to keep in mind that I am interested in learning about you as a Mum and so I will be asking you to think about your life and experiences before you came in here and also whilst you've been here.
  - Not necessarily interested in knowing about *why* you're in prison but OK to talk about it
- I am giving you information about services in prison which you can access if you want to talk to anyone confidentially after the interview about your family and children. (*Give information about services in localised prison e.g. Family Support Team, Chaplaincy and/or Listeners*)
- Are you happy to continue with the interview?

### ***(1) Warm Up***

To start us off, I'd just like to get a better idea of *you* so am going to ask some basic information...

- **Intro** = Name / Age / Ethnicity/ Length of sentence served?/ Which prison(s) served sentence at?/ IEP (incentives and earned privileges) status
- **How many children?**
- **Names and ages of children**

### ***(2) Before prison***

Can you tell me a little about your life before you came into prison?

- Home location?
- Home life? (Explore e.g. who lived with)
- Work life?
- Social life? (Explore e.g. hobbies, friends and important people?)
  
- Family life?
- Typical day? Weekend? Special occasions?
- Relationships?

### ***(3) Coming into prison – you and children***

I would like you to think a little about when you were brought into prison for the first time...

- Is this your first time in prison?
  - If not, tell me about previous experiences (Explore e.g. when, how many times, where?)
- Describe coming into prison for first time?
- What happened to children at this time? (Explore e.g. where they were, who cared, preparations, anticipated, how arranged?)
- Are the children in the same place now? (Explore e.g. if they changed caregiver since, what's happening now?)
- Where do children live? (Explore impact e.g. Moved home towns? Changed schools? Friends?)
- Who else lives nearby and/or important to/in your family? (Explore e.g. friends, children's father(s), other family members)

### ***(4) Coming into prison – prison processes***

Thinking again back to when you first came into prison....

- When you came into prison, were you given a free phone call?
  - Was this first contact with family?

- E.g. who did you call? Why? What was discussed (children)? Anticipated prison? Children know where you are?
- When you came into prison, were you given information about prison life?
- Given any information about maintaining family ties? (Explore e.g. visits, telephone)
- Any other information concerning family? (Explore e.g. money, property)
- Think of anything (+/-) that made a difference to first weeks? (Explore e.g. staff, visits, policies)
- If been in prison before – think about how experience this time compared with previous experiences?

### ***(5) First weeks in prison***

Let's think about the first few weeks after you arrived in prison...

- Describe first two weeks in prison (Explore e.g. experiences in prison, feelings, what happening in children's lives, children know where you are?)
- First/Second contact with family (depending on who free call made to)
  - Explore e.g. how much time elapsed since coming into prison, time since first contact, type of contact, what discussed, feelings)
- If not mentioned > first contact with children? Explore

### ***(6) Relationships and contact with family now***

- Regular contact with family now?

If yes:

- Typical week, how many time contact? Type of contact?
- Preferred method of contact (Explore e.g. why? Describe experiences, best part?)
- Describe other forms of contact
- Type of contact changed during sentence? (Explore e.g. why? How? Events?)
- Think about processes – what works? What doesn't work? (Explore e.g. people, finances, procedures, location)

If no:

- Check OK to ask questions about not having contact
- Explore why and when this occurred?
- Any events that caused the loss of contact?
- Is there anything affects your ability to maintain contact?

### ***(7) Being a Mum in prison***

- Mums in prison interest – what challenges for Mums? (Explore e.g. how? Why?)
- Important things to be able to do as Mums in prison?
- Do you think imprisonment had impact on family? (Explore e.g. how? Why?)
  - Relationship with caregiver? (Explore e.g. changed or same? How?)

- Relationship with children?
- Is there anything you would change as a Mum about prison? Explore

### ***(8) Wind down***

- Expectations for future? (Explore e.g. in prison? Preparing for release? On release?)
- Next contact with children/family (if applicable)
- Anything else to say?

### ***DE-BRIEF (switch tape recorder off)***

- Check participant is OK and ask if they want to reflect on interview process
- Remind participants of where they can access support in the prison (FEW) if necessary

Thank them for providing invaluable knowledge.

## Interview schedule for caregiver's cohort

### **BEFORE INTERVIEW - Introduction and confirmation of informed consent**

Thank you for coming and agreeing to take part in the interview. Before we begin, I just want to go through a few things to double check you're happy to continue...

- Do you understand what the research is about?
- I want to make sure you are clear that taking part in the research will have no direct impact on your family's situation or your relative in prison (e.g. their prison sentence)?
- Do you understand that taking part in the interview is voluntary?
  - Do not have to answer all the questions – you can say 'pass' or 'next question' if you wish at any point and this is completely fine
  - You can also ask to pause or stop the interview at any point if you wish
  - Can withdraw from the interview at any time
- The interview is strictly confidential
  - Anything said here will be kept between you and me and no-one else will have access to the recorded conversation.
  - I will type up (transcribe) the interview at a later date and again, it is only me and my supervisor who will be able to read what was discussed here
  - Only if you say something which concerns me about your safety or the safety of someone else will I need to pass the information to someone who can help. BUT I would not do anything without discussing it with you first.
- During the interview I want you to keep in mind that I am interested in learning about you and your thoughts and experiences
  - There are no right or wrong answers, just your thoughts
  - Do not have to tell me about the offence of family member, but can if want to
- Are you happy to continue with the interview?

### ***(1) Warm Up***

To start us off, I'd just like to get a better idea of *you* and your family so am going to ask some basic information...

- Name / Age / Ethnicity
- Relationship of person in prison to you?
- Where do you live? Area like?
- Who else lives with you?
  - Names and ages of those of mothers' children? Who else?
  - Other children of mothers' not live with you? Your own children?
- What do you do? (e.g. work? Hobbies?)
- Anyone else important in your family or life?

Some background information about mother... (& remember not have to tell me what offence)

- Sentence type (e.g. remand/convicted)
- First time? (explore if not)
- How long in prison so far? How long left?
- Which prisons served at? Changed?

### ***(2) Before mother imprisoned***

I would like to go back a little and ask you to describe 1) your life 2) mothers life and then 3) children's lives before mother was taken into prison...

- Home lives? (Explore e.g. daily lives, who lived with)
- Work life/school life?
- Social life? (Explore e.g. hobbies – what and when? Friends? – important people)
- Money? Health? General lives?
- How involved with each other?
- Relationship like with the mother/children/you?

### ***(3) Mother being taken into prison***

I would like you to think a little about mother being taken into prison...

- Describe what happened?
  - When did you first find out? (e.g. anticipated? At arrest? At court? Unknown?)
  - How did you first find out? (e.g. witness? Told by mother? 3<sup>rd</sup> party told?)
  - Impact? (e.g. feelings? How react? What did you do?)
  - What were the things that stood out for you at the time?
- What happened to children at this time?
  - Preparations made; anticipated? (e.g. before court?)
  - Where were they when mother imprisoned?
  - What happened? (e.g. who cared initially? How arranged?)
- Were the children told about Mum's whereabouts? (e.g. by whom? When? How?)
- What changes for children? (e.g. home? School? Friends? Hobbies? Behaviour)
- First few days after – what happened? Impact on children?
- Would you do anything differently?

### ***(4) Initial experience of prison***

Thinking back to when mother was first taken into custody...FIRST CONTACT

- Know which prison going to? (e.g. how find out? When?)
- Remembering the first time you heard from her? Describe this...
  - When was this? What type of contact? Length?

- If phone/letter > What was discussed (children)? (e.g. who caring? Know of whereabouts? Information exchanged?)
- Had she spoken to anyone else first? (e.g. who? When? About?)
- Describe what happened over first few days/weeks?
  - Information about prison? (e.g. what information? how get this? contact with prison?)
  - How find processes around - Contact with mother? Property? Money? Letters?
- Children's first contact? How? When? Response? What happened?
- First visit?
  - When? (e.g. time elapsed? Time of day?)
  - Who went?
  - How? Process of booking? For whom (children)?
  - Describe getting to prison – travel (type, time, cost), finding the prison, knowing where to go, atmosphere
  - Describe booking in – process (ID), lockers, staff, searches, money for canteen
  - Describe visits hall – atmosphere, finding mother, staff, discussions, saying goodbye
  - Know about APVS? (e.g. how? When find out? Process of applying & receiving)
- If children not first time – how about their first visit? (e.g. ABOVE + their contact, knowledge, experience, feelings)
- Think of anything (+/-) that made a difference to first weeks? (Explore e.g. staff, visits, particular information?)
- If been in prison before (or other family member) – think about how experience this time compared with previous experiences?

### ***(5) Relationships and contact with mother now***

Are you in contact? (Yes/no)

- How many times hear from Mum now? Type of contact? When?
- Preferred method of contact (Explore e.g. why? Describe experiences, best part? For children?)
- Describe other forms of contact
- Type/frequency of contact changed during sentence? (Explore e.g. why? How? Events? Children? Moved prisons?)
- What helps you maintain contact? (e.g. people, finances, procedures, location, time of day/week)
- What helps mother to maintain contact? (Explore eg. Finances, job, access to phone, IEP?)



- Is there anything affects your ability to maintain contact? (e.g. care for others, work?)

### ***(6) Being a caregiver***

- How has being a caregiver made a difference to your life? (explore e.g. how, why?)
  - Home life? Work life? Social life? Health? Finances? Family?
  - Relationship with mother? (e.g. changed or same? How?)
  - Relationships with children?
  - Relationships with other people – friends, family, own children
- Is there anything you would change as a visitor/family member about prison? (Explore)
- Is there anything you would change as caregiver about prison – for children? (Explore)

### ***(7) Wind Down***

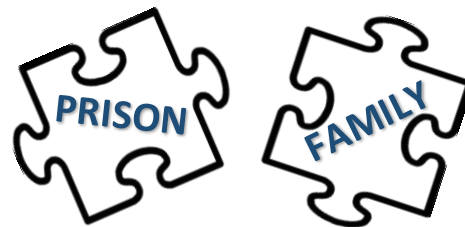
- Expectations for future? (Explore e.g. home? Preparing for release? On release?)
- Next time see mother?
- Anything else to say?

### ***DE-BRIEF (switch tape recorder off)***

- Check participant is OK and ask if they want to reflect on interview process
- Remind participants of where they can access support (Offenders Families Helpline information leaflet) if necessary

Thank them for providing invaluable knowledge

## PRISON & THE FAMILY; an exploration of maternal imprisonment from a family-centred perspective



### INFORMATION AND CONSENT FORM

You are invited to take part in a study. Before you decide, please take time to read this information and consent form because it is important that you understand why the research is being done and what it would involve for you. Ask questions if anything is not clear or if you require more information.

Please note: Your decision to take part in the study has no influence on your time in prison (e.g.) it has NO positive or negative influence on your sentence length, IEP status or access to social visits.

***What is the study about?*** This study wants to find out about the experiences of families when a mother is taken into custody. To do this, the study will be talking to mothers in prison, carer's looking after female prisoner's children and young people (aged 15-18) with a mother in prison. However, the study is working with family members who are not related to each other; and so it is unlikely that your family will be invited to take part in the research.

The study would like to understand more about the lives and experiences of family members before the mother was taken into prison and during her time in prison. It will give family members the opportunity to talk about their views and experiences of maintaining their family relationships and contact from inside/outside prison.

***Who is doing the research?*** The researcher (Natalie Booth) is doing the study as part of a research degree called a PhD at the University of Bath, which is funded by the Economic and Social Research Council. The study is independent and is not being carried out for the Prison Service, the Government, Social Services or any other agency and so no-one else will have access to our conversations.

***Why have I been invited?*** Because we think you are a Mum and have child/ren under 18 years old, are serving a sentence of 2 years or less and have been in prison for at least 2 months.

- Yes, this is true – You have been invited because your thoughts and experiences of being a Mum in prison are important to this research.

- No, this is wrong – Unfortunately you will not be able to take part in the research, but thank you for your interest in the study.

***What does taking part involve?*** Taking part involves one face-to-face interview with the researcher (Natalie). This interview is likely to last up to an hour. If you give consent, the conversations we have in the interview will be recorded.

The interview will ask you about your family life before you came into prison and during your time in prison and may cover some personal and difficult topics about your children and family. When deciding whether or not to take part, please consider how comfortable you would be discussing these things.

***Do I have to take part?*** No, taking part in the study is entirely voluntary.

If you decide to take part, you can withdraw from the interview at any time and there will be no negative implications for doing this. You can also decide not to pause the interview or skip over specific questions if you do not want to answer them, and this is completely fine.

***Is the research confidential?*** Yes. As far as possible our conversations in the interview will be strictly confidential. However, please be aware that the researcher is bound within the rules of the prison to report anything you disclose which may be a cause for concern, including;

- Anything that has the potential to harm you or others (inside and outside of prison), including information about behaviour of self-harming (previous or planned) or intentions to commit suicide.
- Behaviour which is against prison rules and can be adjudicated against
- Undisclosed illegal acts (previous and planned)
- Anything that raises concerns about terrorist, radicalisation or security issues

***Will my personal information be kept safe?*** Yes. All identifying information about you (including the recorded conversation in the interview) will be kept safe throughout the study. All electronic documents will be kept in a secure, password protected area of a computer at the university, and paper documents will be stored in a locked filing cabinet. The saved versions of the interview (both electronic and paper formats) will be destroyed after 5 years.

Anything that could identify you in the study will be removed. Pseudonyms (fake names) will be used in place of your real name and any information about your family (e.g. your children's names) or events/places (e.g. home town) will also be changed.

***What will happen to the results of the research?*** The study findings will be made publically available in written documents and presentations. The results will

also be written up into a report for the National Offender Management Service (NOMS).

***Who do I tell if I have any problems about the study?***

If you have concerns about the research you should ask to speak to the researcher (Natalie) who will do her best to answer your questions. If you wish to speak to someone else or make a complaint about the research you can do this by contacting XX, Custodial Manager.

***Where can I get support after the interview?***

If you feel like you want to talk to someone after the interview, you can access support from; the Family Engagement Worker - XX; the Chaplaincy team; and/or the Listeners at HMP XX.

***I want to take part in the study – what do I do next?***

Please read the following statements and sign at the bottom of the page to show you give your consent to take part.

1. I have read the information and consent form and Natalie has explained it to me
2. Natalie has explained to me the purpose of the study, what my participation includes and has answered any questions to my satisfaction. I understand what participation involves and agree to the arrangements in this information and consent form.
3. I understand that taking part is entirely voluntary and that I can withdraw from the interview at any time.
4. I am **happy for the interview to be audio-recorded.**
5. **I have been** given a copy of this information and consent form.

Signed: ..... Date: .....



## National Offender Management Service

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**National Offender Management Service**  
*National Research Committee*  
Email: [National.Research@noms.gsi.gov.uk](mailto:National.Research@noms.gsi.gov.uk)

### APPROVED SUBJECT TO MODIFICATIONS – NOMS RESEARCH

**Ref:** 2015-022

**Title:** Prison and the family; an exploration of maternal imprisonment from a family-centred perspective

Dear Natalie,

Further to your application to undertake research across NOMS, the National Research Committee (NRC) is pleased to grant approval in principle for your research. Thank you very much for your detailed response to the RFI letter. The Committee has requested the following modifications:

- The following should be included in the participation information sheets/consent form for offenders:
  - Participants should be asked for their consent to the use of audio-recording equipment.
  - Participants should be informed that there will be neither advantage nor disadvantage as a result of their decision to participate or not participate in the research.
  - It must be made clear to research participants that they can refuse to answer individual questions or withdraw from the research until a designated point, and that this will not compromise them in any way.
  - Participants should consent to any follow-up contact and the method of this contact.
  - Participants should be informed how their data will be used and for how long it will be held.
  - It needs to be clear that the following information has to be disclosed: behaviour that is against prison rules and can be adjudicated against, illegal acts, and

behaviour that is potentially harmful to the research participant (e.g. intention to self-harm or complete suicide) or others.

- Potential avenues of support should be specified for those who are caused any distress or anxiety.
- The respondent should be asked to direct any requests for information, complaints and queries through their prison establishment. Direct contact details should be removed.
- The interview schedule should be tested/piloted in the first instance to check ease of use, coverage of key issues and overall length (monitoring any respondent fatigue).
- Under the Prison Act (as amended by the Offender Management Act 2007), mobile phones, cameras and sound recording devices are classified as list B items, requiring authorisation from Governing Governors / Directors of Contracted Prisons (or nominated persons) to take them into and use them in prison (PSI 10/2012 Conveyance and Possession of Prohibited Items and Other Related Offences).
- When using recording devices, the recordings should be treated as potentially disclosive and it is recommended that devices with encryption technology are used. Recordings should be wiped once they have been transcribed and anonymised unless there are clear grounds for keeping them any longer.
- In the final research reports, the limitations should be clearly set out (e.g. the samples may not be fully representative).

Before the research can commence you must agree formally by email to the NRC ([National.Research@noms.gsi.gov.uk](mailto:National.Research@noms.gsi.gov.uk)), confirming that you accept the modifications set out above and will comply with the terms and conditions outlined below and the expectations set out in the NOMS Research Instruction

(<https://www.gov.uk/government/organisations/national-offender-management-service/about/research>).

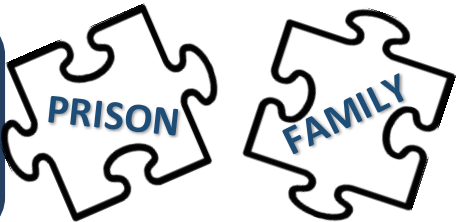
Please note that unless the project is commissioned by MoJ/NOMS and signed off by Ministers, the decision to grant access to prison establishments, National Probation Service (NPS) divisions or Community Rehabilitation Company (CRC) areas (and the offenders and practitioners within these establishments/divisions/areas) ultimately lies with the Governing Governor/Director of the establishment or the Deputy Director/Chief Executive of the NPS division/CRC area concerned. If establishments/NPS divisions/CRC areas are to be approached as part of the research, a copy of this letter must be attached to the request to prove that the NRC has approved the study in principle. The decision to grant access to existing data lies with the Information Asset Owners (IAOs) for each data source and the researchers should abide by the data sharing conditions stipulated by each IAO.

Please quote your NRC reference number in all future correspondence.

Yours sincerely,

National Research Committee

**PRISON & THE FAMILY;**  
an exploration of maternal imprisonment  
from a family-centred perspective



**RESEARCH INFORMATION PACK**  
**HMP XX**

This information pack will provide you a detailed overview of the research study; Prison and the Family.

It is hoped you will see the value of supporting this research and understand that with your help, the research will be able to gain some important insights into some of the realities of being in a family where a mother is in prison.

Please do not hesitate to ask questions if anything is not clear or if you have any queries.

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## Section 1: Research Aims and Methods

### *What is the research about?*

This study wants to find out about the experiences of families when a mother is taken into custody. To do this, the research will be talking to three groups of family members; mothers in prison, caregivers looking after female prisoners' children and young people (aged 15-18) with a mother in prison. Please note: these family members will NOT be recruited from the same family, and therefore will not be related to one another.

The study would like to understand more about the lives and experiences of family members before the mother was taken into prison and during her time in prison. It will give family members the opportunity to talk about their views and experiences of maintaining their family relationships and contact from both inside and outside of the prison.

### *Why is the research important?*

- Family ties are recognised as a key factor in reducing re-offending and supporting prisoners' successful rehabilitation on release into the community.
- Relationships with children and family were identified as a key priority for female prisoners' (following the Women's Custodial Estate Review in 2013) which constitute part of NOMS business priorities (2014/2015) for women's prisons. This research has strong links to these priorities by contributing valuable, empirical knowledge about family life (for example, by investigating methods and experiences of maintaining contact).
- Research indicates that most women in prison are mothers, and that many were providing primary care to their children before being taken into custody.
- Little is known about how families organise their lives and relationships from both inside and outside prison when a mother is incarcerated. Research of this kind has not been conducted before in England and Wales.
- By talking directly with family members (both inside and outside of prison) the findings from this research will produce family-centred recommendations from the empirical evidence to inform NOM's policy evidence base and improve practice across the women's custodial estate

### *What are the research methods?*

The research is using a qualitative research approach. This method will allow a deep understanding of the familial lives and experiences of family members with a mother in prison by drawing on their own views, opinions and reflections. The research will use in-depth, semi-structured interviews to collect data before being analysed thematically. Thematic analysis is a common approach to analysing qualitative data as it is content-



driven; which means that the themes identified originate from the participants own descriptions of their lives and experiences.

## Section 2: Conducting the research at HMP XX

HMP XX has been approached to facilitate access to the two groups of family members outside of the prison; the carers and young people.

### *Who is eligible to participate in the research?*

The research aims to sample 15 family members from each of the following groups:

- Caregivers looking after child/ren (under 18 years) whose mothers are in prison
- Young people (aged 15-18 years) whose mothers are in prison

Family members will be eligible to take part providing:

- The imprisoned mother is convicted
- The mother is serving a sentence of up to 2 years
- At least 2 months have elapsed since the mother was first received into custody

### *When will the research take place at HMP XX?*

It is anticipated that the research will take place between March and November 2015. However, the research may come to close at an earlier date if the full capacity of the samples are reached.

### *What does taking part involve for participants?*

One face-to-face interview with the researcher lasting around one hour. Please note: Permission will be sought from participants to audio record the interview

### *Where will the interviews take place?*

The researcher will invite the participants to choose the time, date and location of the interview for their convenience and comfort. If possible, it would be helpful if an area of the visitors centre at HMP XX (for example, a side office) could be used for conducting the interviews as some participants may prefer this location (for example, before or after a social visit). The use of this space would be organised by the researcher through the Family Support Worker, XX, in advance of the interview.

### *How will family members be approached at HMP XX?*

In the first instance, the researcher will organise a face-to-face meeting with XX (Family Support Worker) to discuss the most suitable way to operationalise the research in the context of her role and working environment at HMP XX. However, it is anticipated that family members will be approached in two ways, through:

- 1) The visitors centre (for example, information leaflets and posters displayed there)
- 2) XX (Family Support Worker). The flowchart (Box 1) on the next page details the steps proposed.

### Box 1: Approaching family members using the Family Support Worker

- (1) XX will be asked to identify potential caregivers and young people who may be eligible to take part in this research. Potential participants may be identified through case work (with prisoners and/or family members), during social visiting hours in the visitors centre and on special visits, such as family days.



- (2) XX role will only involve introducing family members to the research by providing them with an information leaflet about the research. From this point onwards, interested individuals will be invited to contact the researcher directly (by phone, email or post) should they wish to find out more information about the research and opt to take part.



- (3) If these potential participants make contact with the researcher, then further information about the project will be provided to ensure potential participants are fully informed about the purpose of the research and what taking part would involve, as well as giving them an opportunity to ask questions and discuss participation.



- (4) Interested family members will be asked to discuss their participation in the research with the imprisoned mother (especially with the sample of young people) as it is acknowledged that although parental consent is not a legal requirement in research with this age group (15-18 year olds), it does allow for a fully informed consent as it recognises the potential legal status of the mother (if she has parental responsibility), and reduces the likelihood of future tension or friction owing to the research.



- (5) Once the researcher is satisfied that the potential participant is fully informed about the research project, an information and consent form will be sent (by post) and the researcher will organise with the participant a suitable location, time and date for the interview to take place.



- (6) On arrival at the agreed interview location, and before the interview commences, the researcher will go through the information and consent form with the participant and will confirm that the participant understands the nature and purpose of the research and is happy to continue. The researcher will invite participants to provide written consent for their participation. Participants will also be told they can withdraw from the interview at any time, or choose to not answer specific questions and that if they do this, there will be no negative repercussions.



- (7) At the end of the interview, participants will be thanked for their participation and given information about support services.

***How will the research benefit HMP XX?***

HMP XX will be able to access the results from the research to gain knowledge about maintaining family ties from the perspective of family members. A report for NOMS that includes the research's main findings and recommendations will be made available to HMP XX at the end of the researcher's doctoral degree (expected mid 2017). This report will be beneficial because:

- The research findings will provide valuable insights into the experiences, challenges and issues facing families when a mother is taken into prison custody which will be possible because this is the first study to talk directly with family members (inside and outside prison) about their familial lives
- The research findings will discover and highlight areas of good practice that are considered helpful for families in maintaining their family ties
- The family-centred recommendations will provide practical and feasible guidance on how operational changes could be implemented in the future to improve processes that facilitate the maintenance of family ties

### Section 3: Research Ethics

***What approval has the research received?***

The research has received ethical approval from the University of Bath and approval from National Research Committee (NRC) who are responsible for research undertaken across NOMS (see enclosed with letter).

***Is participation voluntary?***

Yes. It will be made clear to participants that they can refuse to answer individual questions or withdraw from the research at any time before or during the interview, and that this will not compromise them in any way. Participants will also be told that there are neither advantages nor disadvantages associated to their decision to take part.

***How will the research deal with any sensitive issues?***

Before the interview it will be made clear to participants (in both written documents and verbally) that the research is about their family life before the mother came into prison and during her time in prison and so it may cover some personal and difficult topics about their family. When deciding whether or not to take part in the study, participants will be asked to carefully consider how comfortable they would be discussing these things.

The researcher will also remain emotionally aware of potentially sensitive issues during recruitment and the interview, and ensure participants are happy to continue at all times. The researcher will offer breaks and terminate the interview if it seems appropriate.

### ***Is the research confidential?***

Yes. However, the researcher will clearly explain to participants how far confidentiality can be afforded if there are any disclosures of harm which raise concerns about the safety of the individual or another person. Any concerns will be discussed directly with the participants in the first instance, before careful consideration is given to deciding the most appropriate way to move forward, and which agencies to contact.

### ***Will participant's information be kept safe?***

All identifying information about participants (including recorded interview conversations) will be kept safe throughout the study. All electronic documents will be kept in a secure, password protected area of a computer at the university, and paper documents will be stored in a locked filing cabinet.

Anything that could identify participants in the study will be removed. Pseudonyms (fake names) will be used in place of their real name and any information about their family (e.g. children's names) or events/places (e.g. home town) will also be changed.

### ***What will happen to the results of the research?***

The study findings will be made publically available in written documents (including the researcher's doctoral thesis and academic journals) and conference presentations.

The results will also be written up into a report for the National Offender Management Service (NOMS). This report will be shared with your establishment.

## Section 4: Researcher profile

### *Who is doing the research?*

The research is being conducted by Natalie Booth, a PhD research student from the Department of Social and Policy Sciences at the University of Bath.

The research is independent. Funding for the study has been provided by the Economic and Social Research Council (ESRC). Natalie is supervised by Professor Tess Ridge from the University of Bath.

### *What experience does the researcher have?*

Natalie gained first-hand experience of working with female prisoners and their families during a six-month placement with a family support worker in a women's prison in 2014. This placement increased awareness and knowledge of the regime and prison culture (for example, security issues, prison visits, prison jargon, and everyday procedures) as well as providing invaluable insights into processes more attuned to families and children (for example, visits, phone calls, letters and specific issues facing those on the inside and outside).

### *What security clearance does the researcher have?*

- Security Clearance from the Ministry of Justice (MoJ) - Enhanced Level
- Disclosure and Barring Service (DBS) certificate (previously CRB)

**Prison & the Family;**

Understanding a mother's imprisonment  
from a family-centred perspective



# ARE YOU A MUM?

## WANT TO TAKE PART IN RESEARCH??

**Research looking into the lives and experiences of families with a Mum in prison is taking place at HMP XX in May/June.**

**YOU may be able to take part in the study if:**

- You have a child under 18 years old
- You are convicted
- You are serving a sentence of 2 years or less
- You have been in prison for at least 2 months

**MORE INFORMATION XX**

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